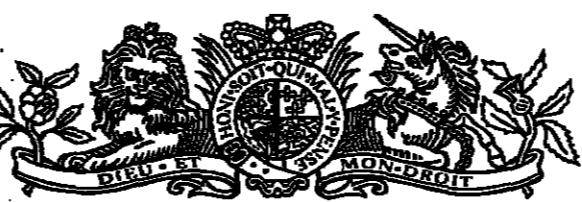


# THE TIMES

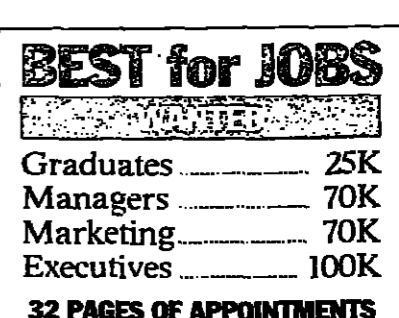


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No. 65,890

THURSDAY MAY 15 1997

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Devolution, health and education head 30-measure Queen's Speech

## Blair pledges shake-up for welfare state

By PHILIP WEBSTER, POLITICAL EDITOR

**TONY BLAIR** promised a far-reaching shake-up of the welfare state yesterday as he unveiled the first Labour government programme for nearly 20 years.

The Prime Minister, who abandoned his official car to walk through the crowds from Downing Street to Parliament, hailed a 30-measure Queen's Speech which built on the hope and optimism that were "coursing through the nation". At its heart were measures to improve education and health, tackle crime and a big constitutional package, including Bills to provide for early referendums on a Scottish parliament, Welsh assembly and a new London authority and elected mayor.

As the Government races to begin implementing its manifesto, the Scottish and Welsh referendum Bill will be published today and debated in the Commons next Wednesday and Thursday.

But Mr Blair made plain that the drive to modernise the welfare state and to tackle the £90 billion social security bill was one of his main priorities in the years ahead. He said that "we have reached the limits of the public's willingness simply to fund an unreformed welfare system through ever higher taxes and spending." He added: "We face the prospect of rising welfare bills, but combined with rising poverty and social division."

Continued on page 2, col 5

radical" and said that just as Labour spoke for the whole nation, it would serve the whole nation.

John Major, the Conservative leader, warned Mr Blair not to be too much of a man in a hurry, telling him that he should be careful how he used his substantial majority in the House of Commons. Mr Major also criticised the Bill giving independence to the Bank of England to set interest rates, telling Gordon Brown, the Chancellor, that it would be a decision he regretted.

He said that there was "a very great deal" in the Queen's Speech package that Conservatives could support, but he promised vigorous opposition to areas they thought were not in the national interest.

Twenty two Bills were contained in the Speech, five more were signalled and there were three White Papers that eventually will lead to legislation.

Mr Blair said that they represented the "alliance of progress and justice too long absent from politics under Conservative government", adding: "Our mandate is clear: to modernise what is outdated and to make fair what is unjust, and to do both by the best means available, irrespective of dogma or doctrine, and without fear or favour."

Highlights were the well-tried plans to cut class sizes for five to seven-year-olds. The move, designed to boost

Continued on page 2, col 5

## Supermarkets declare germ warfare

By NIGEL HAWKES, SCIENCE EDITOR

PRODUCTS with built-in bug control are about to appear on the shelves of two of Britain's biggest retailers.

Sainsbury's and Marks & Spencer yesterday announced deals to sell products impregnated with Microban, a disinfectant that can kill a wide range of bacteria and fungi, including those implicated in most food-poisoning scares.

The protection, to be added to products such as chopping boards, dishcloths, bin-liners, towels and bath mats, was described as a breakthrough in hygiene by Kevin McCarter, the marketing director of Sainsbury's.

While not replacing the normal rules of safe food preparation, he said that Microban added an extra layer of protection, killing more than 99 per cent of

bacteria, including *Escherichia coli*, *Salmonella*, and *E. coli O157*.

It would be used by the company in its own food preparation areas and sold in a wide range of products. The company's research among customers had shown an "overwhelming interest in this innovation". The new products will cost more than their conventional equivalents, but prices have yet to be fixed.

Microban International, the New York company behind the product, has agreed a deal with Sainsbury's for the next two years.

It has struck a separate deal with Marks & Spencer, which is to launch an antibacterial range of towels and bath mats in its Shoreham and Camberley stores next week.

The active ingredient, Triclosan, made by Ciba, is

already used extensively in toothpaste and other toiletries. It can be incorporated into items made of plastic or man-made fibres during manufacture and is constantly replenished as molecules migrate to the surface from the interior of the plastic.

That means that even if a chopping board is stripped of its antibacterial properties by intensive cleaning, it quickly regains them as fresh molecules work their way to the surface. Sainsbury's says that protection should last the full lifetime of the article. In the case of towels and bath mats, protection is guaranteed for up to 50 washes.

Geoffrey Sprigael, the director of scientific services for Sainsbury's, said that there were now 100,000 reported cases of food poisoning a year in Britain, a significant proportion caused by cross-contamination – using the same chopping board for raw and cooked meats, for example.

"Microban is not a substitute for proper hygiene," he said. "But Microban goes on working 24 hours a day, 365 days a year for the life of the product. We think it is a breakthrough in food preparation."

Sainsbury's will offer 60 products from September, ranging from plastic storage boxes to potato masher. The company's tests showed that when a Microban-treated chopping board was infected with *E. coli O157*, the number of bacteria fell over 24 hours from 100,000 to 500. On an untreated board, numbers rose from 100,000 to ten billion over the same period.

## Channel Tunnel repairs complete

Channel Tunnel repairs costing more than £50 million were completed yesterday, six months after the blaze that damaged more than 600 metres of tunnel. The completion means that journey times for the train and car shuttle services should return to normal. The freight service is expected to restart next month.

### Rajiv Gandhi 'at heart of scandal'

Rajiv Gandhi, the former Indian Prime Minister, has been singled out as the key conspirator in the multi-million pound scandal involving the arms manufacturer Bofors. Mr Gandhi, who was assassinated in 1991, is named in a charge sheet prepared by India's Central Bureau of Investigation. Page 16

mystique that sustained governments in times of trouble.

Mr Blair's Westminster walkabout also echoed the walk down Pennsylvania Avenue in Washington taken by former President Jimmy Carter and his wife Rosalynn after he was sworn in January 1977. Later Mrs Blair went on her own personal walkabout on the balcony inside the House of Lords, where she was to watch the Queen deliver her speech. Amid all the splendour of ermine-clad peers and their wives in extravagant gowns and tiaras, Mrs Blair chatted with the spouses of other senior Labour and Liberal Democrat figures as if she were attending a coffee morning.

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## Laurie Lee dies in the village he immortalised

By ALAN HAMILTON

LAURIE LEE, the poet and author who immortalised the Gloucestershire countryside in his autobiographical *Cider With Rosie*, has died at his Consold home, aged 82.

The writer, who underwent major abdominal surgery last year, had been unwell since Christmas. He died on Tuesday in the house he and his wife Kathy occupied in the village of Slad, near Stroud, where he was born in 1914 and to which he returned in his

later years. His wife and daughter, Jessy, his only child, were with him at the end.

Last year he helped in a successful campaign to prevent a developer from building 90 homes in Slad Valley, arguing that its landscape had remained largely unchanged for 1,000 years.

Last night fellow villagers mourned the passing of the man who put them on the literary map. David Tarrant, the publician of the Woolpack Inn, next to Lee's home, said: "The village will never be the

same without him. He was an entertaining man who always had time for visitors, who came to see him from all over the world. He had been very ill and had lost many of his faculties, although his mind was still sharp. His death was not a complete sad moment."

Despite several counter-claims, Lee took with him to the grave the identity of the heroines of his bucolic celebration of young love in *Cider With Rosie*.

Obituary, page 23



Lee helped to save valley

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## Care home staff brutalised mentally ill residents

BY A STAFF REPORTER

A FORMER nursing home director and two colleagues were convicted yesterday of ill-treating mentally handicapped residents in two private homes at which the regimes were said to be more like Army camps than nursing homes.

Residents were slapped, their hair was pulled, their teeth were denied lavatory paper, toothpaste and soap. One woman with Down's syndrome was made to eat her meals outside, even in the rain, and another was dragged downstairs by her hair.

An inquiry by Buckinghamshire County Council inquiry in 1994 unearthed a catalogue of sexual and physical abuse committed by Gordon Rowe, who ran Stoke Place Mansion House and Stoke Green

House, both in Stoke Poges, with his wife, Angela, Gordon Rowe, who killed himself in his car in March last year, would have faced charges of being principally responsible for cruelty at the homes, police said.

Former Detective Superintendent Jon Bound, of Thames Valley Police, who investigated the abuse allegations, said what went on at the homes was "absolutely appalling". Out of 70 residents in the homes, there were allegations of abuse involving 40 of them.

"Mr Rowe was sexually abusing female residents as well as physically assaulting men and women. Had he been in court today, he would have been charged with a number of counts of rape, indecent



Desmond Tully, left, Angela Rowe, centre, and Lorraine Field were all convicted of mistreating patients in their care

assault and ill-treatment." Angela Rowe, 39, was not present as a jury at Kingston Crown Court took 21 hours to find her, Desmond Tully and Lorraine Field guilty of mistreating patients in their care. Rowe was not fit to attend after

collapsing on Monday, when she was found guilty of neglecting two patients.

Gary Moreton, a care worker, had broken down in tears as he told the court of handicapped residents being turned into shadows by the

harsh regime. Mr Moreton said that one man, Michael Smith, had begged on his knees not to be forced to work in the garden in all weathers, which prompted Gordon Rowe to lock him in his room for up to five days at a time.

Mr Smith had been "a bubbly young man, full of enthusiasm and always extremely happy and excited about life" when Mr Moreton first met him. But by the end of Mr Moreton's three years at the homes, "he was totally wrecked".

Relatives of some of the victims

said that they would pursue civil action for damages against Buckinghamshire County Council. Pauline Hennessy, 35, sister of one of the residents, Janet Ward, said she was outraged that Miss Ward had been referred to as violent and aggressive throughout the trial.

She said: "She was raped, abused,

ill-treated and neglected. She went straight to Stoke Place from convent school and died within two years of leaving the home."

Stephen Morris, a psychotherapist who treated some patients after the revelations of ill-treatment, said: "These people are the most severely traumatised I have ever had to deal with in all my years of professional practice."

Angela Rowe was convicted of two charges of ill-treating residents and two of wilfully neglecting residents. Tully, 33, of Exeter, described as effectively the manager of Stoke Place for several years, was convicted of one charge of mistreating a patient and cleared on two others. Field, 42, a senior care supervisor, was convicted of three charges of ill-treating resi-

dents. All had denied the charges. Buckinghamshire County Council said yesterday that it had acted quickly and firmly. Audrey Bainbridge, chairman of the social services committee, said: "The prime role of social services has always been to protect the residents' welfare and I'm proud of the way we did that. The question of prosecution and punishment is one for the police and the Crown Prosecution Service.

"I'm proud of the way our inspectors carried out an intensive and determined investigation and succeeded in uncovering a catalogue of allegations. We chose to take instant action by insisting on an immediate change of management and demanding an extensive list of improvements at the home. I'm convinced that was right."

## Culture clash of race steward and the TV executives

BY RICHARD EVANS, RACING CORRESPONDENT

TELEVISION executives have made a formal complaint about "outrageous arrogance and extreme 'disrespect'" shown by a racing official at a half-hour meeting. One of the executives was told to take his hand out of his pocket and both were told to remain standing.

The complaint about the attitude displayed by John Jenyns, the chairman of the York panel of stewards, is being lodged with the Jockey Club over the way he treated John Fairley, a former managing director of Yorkshire Television, and Andrew Franklin, the producer of Channel 4 racing.

Mr Fairley and Mr Franklin met Mr Jenyns and three of his colleagues in the stewards' room at York racecourse on Tuesday evening to discuss their refusal to allow a mini-camera into the parade ring.

Mr Franklin said: "After introducing ourselves, I asked if they minded if we sat down. Mr Jenyns said: 'No. You will remain standing.' He then gestured to John Fairley and said 'and you will take your hands out of your pockets.'"

The complaint has embarrassed the Jockey Club, which

wishes to help television companies to make the most of covering racing, and senior officials at Portman Square were "seething" last night over the alleged behaviour of Mr Jenyns, 52, a solicitor from Huttons Ambo, near York.

Mr Fairley, chairman of Highflyer Productions which covers racing for Channel 4, said: "We were treated like recalcitrant jockeys or trainers. He required us to stand and take our hands out of our pockets. There was a temptation to leave but we had an issue to settle and the upshot is that I have written to Sir Thomas Hickling, the senior steward of the Jockey Club.

"We were simply trying to have a discussion. There was no suggestion we had done anything remiss. Both Andrew and I have been involved in racing for a very long time and it was a reminder of the extraordinary practices which were obviously inflicted on people such as jockeys and trainers, whose livelihood depends on stewards' judgement.

I was one of the people who first filmed a stewards' enquiry at York about 12 years ago. That at least resulted in jockeys being addressed as Mr

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John Jenyns: remain standing and "take your hands out of your pockets"

## Kray was lynchpin in £39m drug deal'

BY STEWART TENDLER

CHARLIE KRAY, the elder brother of the Kray twins, was yesterday accused of being the lynchpin in a multi-million pound drug deal. He was arrested by undercover police officers after allegedly offering to supply cocaine with a street value of up to £39 million to a detective.

A jury at Woolwich Crown Court in southeast London was told that Mr Kray acted for both suppliers and buyers. He was careful never to be present when the drugs were passed because he was too well-known as a member of the Kray family. In a secretly taped discussion, Mr Kray said there were "too many eyes on him."

Yesterday Mr Kray, 70, from Sanderstead, Surrey, denied offering to supply cocaine in June last year to the officer, who posed as a crooked businessman from Newcastle. Mr Kray also denied supplying two kilos of cocaine to undercover officers a month later.



Charlie Kray: denies offering to supply drugs

## 'Baddest boy' of pop jailed for 3 months

BY KATHRYN KNIGHT

THE soul singer Mark Morrison was jailed for three months yesterday for threatening a police officer with an electric stun gun.

Morrison, 24, who has had five top-ten hits, shook his head as David Kenneth-Brown, sitting at Marylebone Magistrates' Court, said he had no option but to send him to prison in view of his string of "horrendous" public order offences. Plans for a promotional tour of America, where Morrison's single *Return of the Mack* is number three, will have to be postponed.

Colin Nott, Morrison's solicitor, said the singer, who earlier this year described himself as the "baddest boy in pop music", took full responsibility for his actions.

In mitigation, Mr Nott said Morrison had shown concern for society through his charity work, which included work for Children in Need and local schools.

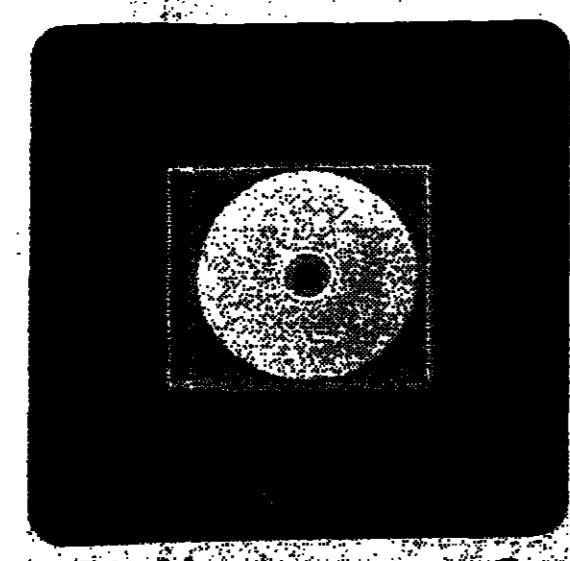
Mr Kenneth-Brown told Morrison that any previous claims to good character had been ruined by "a horrendous record of public order offences". He ordered Morrison to pay £550 costs and imposed a destruction order in relation to the stun gun.

As Morrison was taken away to Wormwood Scrubs, where he is expected to serve his sentence, Mr Nott said he was considering an appeal.

Morrison was arrested by police who thought he was trying to rob an all-night shop in Notting Hill, west London, last October. A plainclothes officer was in the shop at 4.30am when he heard a clicking noise behind him, turned and saw Morrison with the stun gun before being disarmed and arrested.

The court was told yester-

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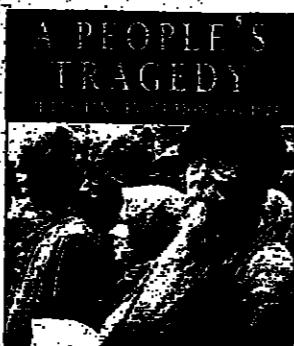


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1997 CARS AT 1967 PRICES? THAT'LL BE THE  DAEWOO.

## Book judges make revolutionary choice for £25,000 award

By ERICA WAGNER, LITERARY EDITOR



THE judges of the NCR Book Award last night announced a surprise winner: Orlando Figes's *A People's Tragedy: The Russian Revolution 1917-1924*. Norman Davies's magisterial *Europe* had been the favourite for the £25,000 prize.

Mr Davies and the other two shortlisted authors, Antonia Fraser for *The Gunpowder Plot* and Frank McLynn for *King*, received £2,500. The 10th anniversary of the award was also a triumph for Figes's publishers, Jonathan Cape: this is the fifth consecutive year that one of their books has taken the award.

A close battle over the winner was fought by the judges, the historian and broadcaster Clive Anderson, the astronomer Dr Heather Couper, the *Times* columnist Nigella Lawson, the broadcaster Sarah Kennedy and David Taylor of the publishers Blackwell's. Mr Anderson, chairman of the judges, said of

the winner: "This is a brilliantly written account of the Russian Revolution which manages in a work of scholarship to bring the ghostly events of this important world event vividly to life." Norman Stone, Oxford Professor of Modern History, has described Dr Figes as the leading historian of Russia of his generation. The award was given in London last night.

Richard Pipes, an American

professor, made claims of a small number of similarities between Dr Figes's book and his own work: *The Russian Revolution*. Dr Figes refuted all charges of plagiarism, and other Russian experts were surprised to learn of the accusations.

□ A Spanish novelist who lectured at Oxford and wrote a fictional account of university life has won the world's largest literary prize for a single work of fiction. Javier Marías, will receive the £100,000 International IMPAC Dublin Literary Award for his novel *A Heart So White*.

Senior Marías, 46, won acclaim in Britain for his book *All Souls*. *A Heart So White* failed to generate public interest when it was translated into English two years ago. But Margaret Drabble, the author, who was one of the judges, described it as "a revelation".

Books, pages 38 and 39

### 'Top-tier' fence jailed for selling Rembrandt

By PAUL WILKINSON

A HIGH-CLASS "fence" who sold a stolen £4 million Rembrandt to an undercover detective for £60,000 was jailed for nine years yesterday.

David Duddin was one of only a handful of "top-tier" receivers of top-quality stolen objects in the country. He was targeted by detectives investigating a spate of robberies from stately homes and galleries all over Britain.

During their ten-week operation, the police successfully introduced two undercover officers, posing as knowledgeable black-market buyers to the gang of art thieves. It was evidence from the two, identified only as James and Vincent, which helped convict Duddin, 51, from Newcastle, on six charges of handling stolen property after a three-week trial at Newcastle upon Tyne Crown Court.

William Lowe, QC for the prosecution, said Duddin handled a variety of expensive items including the Rembrandt painting *Portrait Of His Mother*, stolen from the Earl of Pembroke's home, Wilton House in Salisbury.

### Crews pull together to revive Tyne boat races

By PAUL WILKINSON

TWO university rowing clubs will race head to head this weekend in a contest they hope will become the northern equivalent of the Oxford and Cambridge boat race.

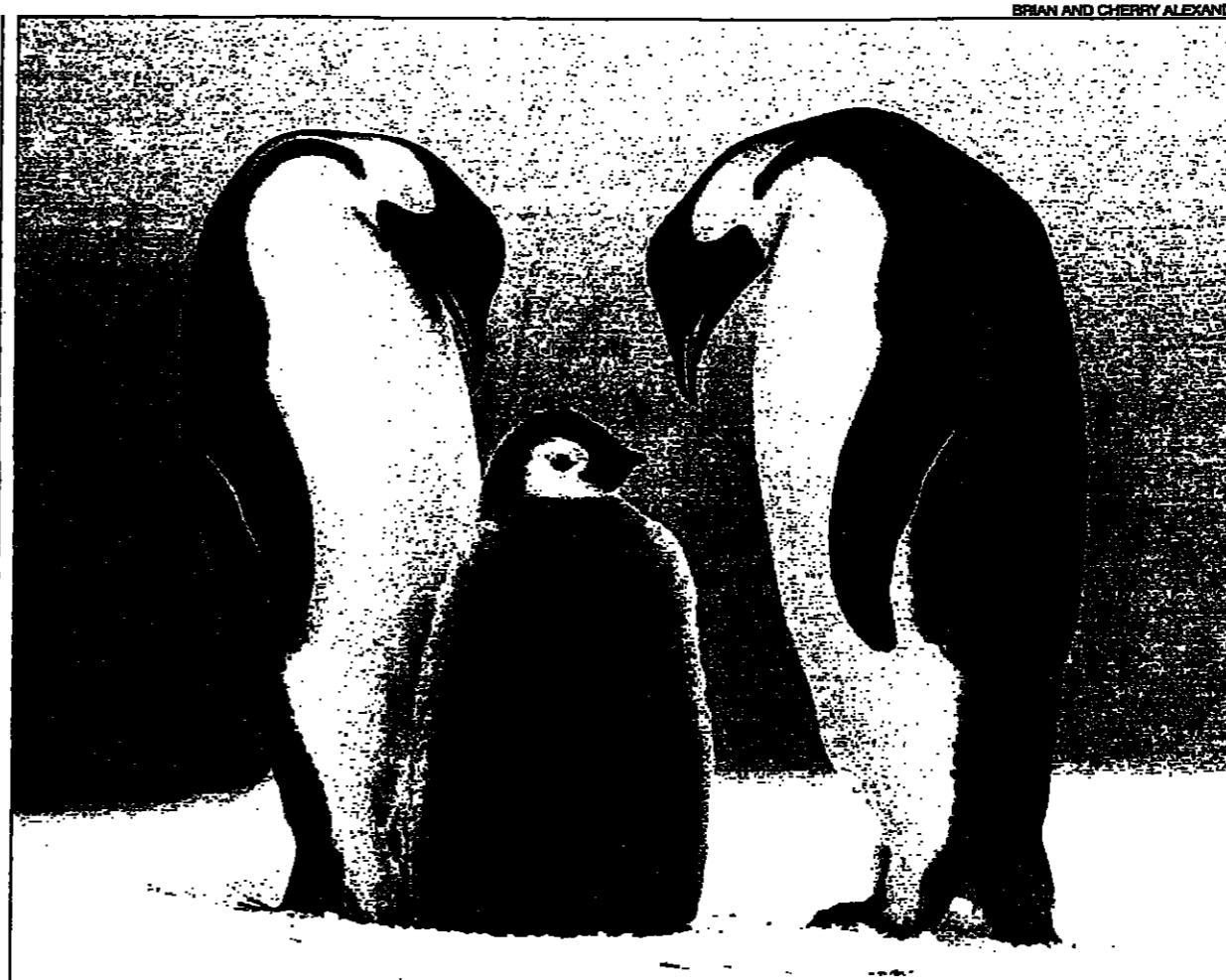
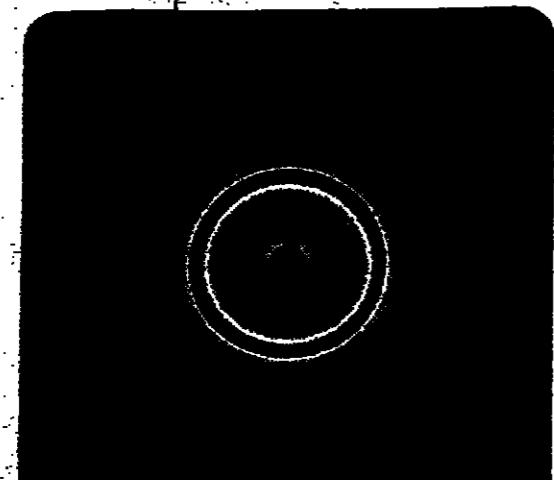
Eight from Newcastle and Durham will row over an 1,800-metre course on the Tyne. "It would be ridiculous to suggest this will be a rival to the Boat Race, but we hope it will become another highlight on the sporting calendar," a Durham University spokesman said. It will be the first time the two universities have held such a race, although they have competed against each other at regattas.

They hope that the event, which will finish beneath the Tyne Bridge, will reawaken a former passion for rowing in the region that rivaled its current obsession with football. In the mid-1800s thousands would line the river to watch races between special adaptations of the keel boats used to unload coal on the Tyne. Prize-money was as high as £600 and thousands more was wagered.

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Down in the dump: Emperor penguins are thought to have caught the virus from rubbish discarded by tourists

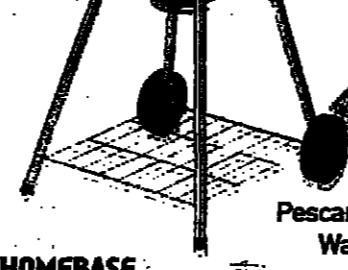
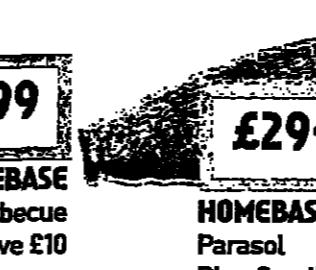
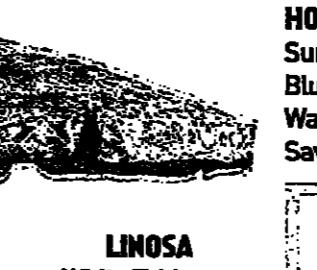
### Penguins pick up chicken infection

By NIGEL HAWKES

ANTARCTIC penguins have fallen victim to a chicken disease, probably introduced by scientists or visitors carelessly discarding rubbish. The condition, infectious bursal disease, is carried by a virus and is common in poultry throughout the northern hemisphere.

Until now Antarctic penguins have been protected by their remoteness, but increasing human activity in Antarctica may be bringing that to an end, says Dr Heather Gardner and colleagues at the Australian Department of Environment, Sport and Territories. The effect of the virus, which particularly affects young birds, is to retard growth and make the Emperors and Adélie penguins susceptible to other infections. Mortality rates can be high. The likely cause is the careless disposal of infected chicken meat, which is then spread by scavenging birds such as the skua. The virus could also be on footwear or tyres contaminated by bird droppings.

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Kline: craving dialogue

## Mos film scripts are dire says Kline

FROM DALE ALBERGE IN CANNES

THE American actor Kevin Kline said yesterday that 98 percent of modern film scripts were dire and that his craving for dialogue was generally satisfied only in the theatre.

Kline, at the Cannes Film Festival where his latest film, *The Ice House*, is having its premiere, said that few films impressed him. And I have to read those scripts. I know by the sixth page that I'm not going to do it... I'm drawn to poetic drama."

This autumn Kline — who has starred in *Sophie's Choice* and *A Fish Called Wanda* — appears at New York Lincoln's Centre in Chekhov's *Ivanov*. As an adviser to the Globe Theatre in London, he is also liaising with Mark Rylance, the artistic director, and hopes to appear on stage there. If he could choose anyone, it would be Lear.

His views were echoed by John Hurt, one of Britain's most eminent actors. "It's always been difficult to find good scripts. I've never known a time when there was a plethora of them," he said. Standards had declined in a "literary way" in recent years. "Films have gone in a visual direction rather than a literary direction."

Hurt, who was in Cannes to promote his latest film, *Love and Death on Long Island*, said that it was more difficult to find good script in America than in Europe. Asked why agents were not sifting scripts before passing them on to clients, he said that they would not know a decent piece of writing. It was hard enough to find a good agent in America, let alone a good script.

□ An American film-music composer is planning to set up a foundation in Britain for underfunded schools to buy and repair instruments for pupils. Michael Kamen, whose foundation will donate about £160,000 a year, said: "If we can get instruments in kids' hands, we might keep weapons and drugs out of them. We might be able to introduce them to a world that will change their lives."

# Nobody forced me to resign, says Royal Opera chief in swansong

As the wreckers move in to prepare for a £214 million refit at Covent Garden, rumour has it that the chief executive has been bulldozed out. Carol Midgley reports

GENISTA MCINTOSH spoke out for the first time yesterday to silence rumours that her resignation as the £90,000-a-year chief executive of the Royal Opera House had been forced on her after only four months in the job.

Ms McIntosh, 50, insisted there had been no friction between herself and Lord Chadlington, the chairman. She said she had received "support, encouragement and personal kindness" from him.

But, in a letter to *The Times*, she makes no mention of the stress-related illness cited as the reason for her departure in an agreed statement from the Royal Opera House.

She says: "I am extremely dismayed by the speculation which has followed my resignation and in particular at the entirely unfounded suggestion that there have been disagreements between the board and myself."

She stresses there were no such disputes, nor any conflict with the chairman. "On the contrary, I received enormous support and encouragement from him throughout my time as chief executive, for which I am deeply grateful, as I am for his personal kindness.

The decision to leave was mine alone. The statement tells all there is to tell."

Rumours continued at Covent Garden yesterday.

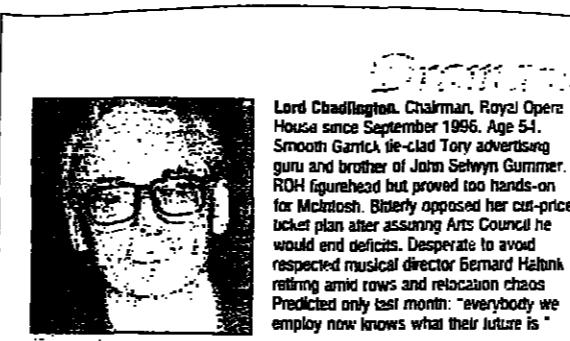
where staff said they had noticed no sign of Ms McIntosh's illness, although some said she had lost weight. Many were planning a "Bring Back Jenny" campaign.

There has been a feeling close to mutiny since a third of the 800 staff were earmarked for redundancy in July, and a continuing union row over pay.

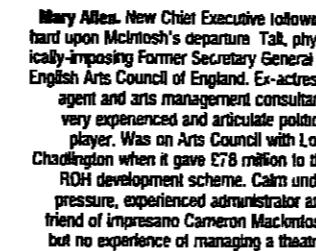
Some staff believe that Ms McIntosh was squeezed out in a dispute over Lord Chadlington's hands-on role, and opposition to her plan to reduce ticket prices. Another theory was that the new Heritage Secretary, Chris Smith, planned to appoint a "Melvyn Bragg-like" figure to guide the House through its difficult months ahead. Mr Bragg backed the idea of a troubleshooter, but added: "I haven't heard anything."

At the heart of the dispute lies a long-term battle between traditionalists and modernists for the soul of the Royal Opera House.

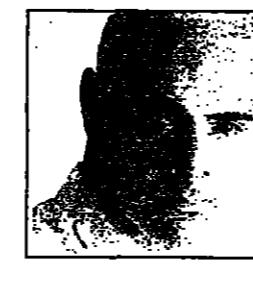
While Nicholas Payne and Sir Anthony Dowell, the directors of opera and ballet, fret about how to stage productions during the enforced absence, key players such as Lord Chadlington and Vivien Duffield are determined to keep the finances healthy by attracting key sponsors to popular, high-profile



Lord Chadlington, Chairman, Royal Opera House since September 1995. Age 54. Smooth Garrick, ie-clad Tony advertising guru and brother of John Selwyn Gummer, ROH figurehead but proved too hands-on for McIntosh. Bitterly opposed her cut-price ticket plan after assessing Arts Council he would end deficits. Desperate to avoid respected musical director Bernard Haitink refusing amateur rows and relaxation chaos. Predicted only last month: "everybody we employ now knows what their future is."



Mary Allen, New Chief Executive following Lord Chadlington's departure. Tall, physically-imposing former Secretary General of English Arts Council of England. Ex-actress, agent and arts management consultant, very experienced and articulate political player. Was on Arts Council with Lord Chadlington when it gave £78 million to the ROH development scheme. Calm under pressure, experienced administrator and friend of impresario Cameron Mackintosh but no experience of managing a theatre.



Vivien Duffield, Chairman Royal Opera House Trust. Age 50. Hugey powerful donor, fund-raiser and one of Britain's wealthiest women. French-educated heiress daughter of multi-millionaire businessman Sir Charles Clare. Diminutive but with immense presence and inspiring fear among staff. Attracts much-needed funding from wealthy corporate and private donors from her tiny office within the ROH. A traditionalist, said to work closely with Keith Cooper.



Genista McIntosh, Chief Executive until abrupt resignation. Age 50. Tall, slim philosophy and sociology graduate, ex-wife of Shelter director. Came from Royal National Theatre and Royal Shakespeare Company with reputation for vision and decisiveness, but told friends she would walk away if threatened. Said on taking job: "It's a bit like Everest. You try to match yourself against something slightly beyond your reach." More popular with staff than abdicated predecessor Jeremy Isaacs.



Nicholas Payne, Director, Royal Opera. Age 52. Stocky, short clubbable bloke brought from Opera North by Jeremy Isaacs. Endures an open buff. Insiders say did not get on with McIntosh but also believed to be unhappy in his position. Favours experimental modern works over old favourites he dismissively terms "canary operas". Said to have more influence than his Royal Ballet counterpart Sir Anthony Dowell.



Keith Cooper, Director of Corporate Affairs. Steven-headed telephone-throwing hatchet man who famously sacked hapless box office manager in front of a fly-on-the-wall TV crew. Claims to inherit pugnaciousness from his Glaswegian father. Poached from English National Opera where he created the slogan "Everyone Needs Opera".

works. Lord Chadlington yesterday denounced the claims of animosity as having been made by "mendacious trouble-makers." He added: "She told me a few weeks ago that she was unwell. I had worked with her quite carefully to help her

through but on Tuesday last week she said she was unable to continue with the job. It is totally untrue to say there was friction between us. She was my first choice; I have nothing but praise for her."

At Ms McIntosh's home in north London, her son, Alexander, said she had gone to stay with friends. Asked how she felt about her departure from the Royal Opera House, he said: "She feels fine but I am saying nothing. I don't want to say anything about it. I don't know whether she is angry about suggestions she

was suffering from stress, but she is okay."

□ Additional reporting by Dominic Kennedy, Stephen Farrell and Tim Jones

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Letters, page 21  
Review, page 34

## Research finds cell flaw behind lung cancer

American scientists have identified the flaw that allows lung cancer to develop in smokers. The smoke causes damage to cells, but machinery exists to detect this damage and put it right. Only when this enzyme-based repair mechanism is damaged does cancer occur, the researchers from Harvard University report in *Current Biology*. Those who smoke for a lifetime without developing cancer may, therefore, simply be those lucky enough never to lose the repair enzyme in any of their lung cells.

### New bat found

A new species of bat has been discovered in disused stables near Antrim by a team from The Queen's University of Belfast. The discovery of the colony of Nathusius's pipistrelle, common in the Baltics, brings to 15 the known number of species in Britain.

### Aids evidence

A British woman dying of Aids will travel to Cyprus next week to give evidence against the man she accuses of infecting her. Jeannette Pink, 44, a mother of two, will tell a court in Larnaca that Pavlos Georgiou, a fisherman, did not tell her that he carried HIV.

### Girl power

The Spice Girls have become the first British group in 15 years to top the American charts with a debut album. More than 2.5 million copies of *Spice* have sold in the United States in the past two months, contributing to worldwide sales of 12 million.

### Sea sickness

A yacht taking part in the BT Global Challenge made an emergency stop after a crew member developed acute appendicitis. Andrew Pilkington, 37, a sailor on *Heath Insured II*, fell ill about 170 miles east of St Helena and is now in hospital on the island.

### Medical stress

A counselling helpline for doctors received more than 3,300 calls in the first year. More than a third dealt with emotional problems of anxiety, stress and depression. Almost half were at night and the average call lasted 33 minutes.

### Forced change

The Society of High Constables in Edinburgh, originally a volunteer police force but now a ceremonial organisation, voted to admit women for the first time in 385 years. Edinburgh council had threatened to sever links if women continued to be excluded.

## Stage by stage, the drama unfolds behind the scenes at Covent Garden

### SUMMER 1996: after lengthy deliberations, gossip and many false alarms, enter Genista McIntosh

In an open letter in BBC Music Magazine, Sir Jeremy pitifully advises her not to take the job: "You know as well as I do Mr Punch's advice to those who marry — don't. But it is too late now — you are committed."

She concedes that she will be drinking from a "poisoned chalice" but insists: "If it doesn't work, I'll walk away."

On January 6, 1997, she takes over. If there are any problems, help is always at hand.

Lord Chadlington, chairman of the Opera House since March, brother of John Selwyn Gummer — and in a previous role, Peter Gummer, the wily public relations guru — has an office just along the corridor where "Jenny" can run for assistance...

### JANUARY 1997: Ms McIntosh is thrown in at the deep end. Squabbles break out in the Opera House management over whether to find a permanent base for the Royal Ballet and the Royal Opera to perform during their years of homelessness, or whether they should move around various temporary venues.

It is agreed that they should roam. The Barbican, the Royal Festival Hall and Labatt's Apollo in Hammersmith are among the short-term addresses.

Enter Lord Gowrie, chairman of the Arts Council, which gave £78 million in lottery money towards the redevelopment of the ROH, sparking a row that punters on council estates were paying for the pastimes of the elite. Gowrie describes the accommodation plans as "shambolic". Backstage, unrest is

growing over claims for touring allowances for working in temporary venues. To the chagrin of the audience, some of whom have paid three figures for a ticket, many performances begin late because stage hands are working to rule.

Full industrial action threatens to bring down the curtain altogether and ACAS is brought in to arbitrate.

Ms McIntosh comes up with the bright idea that ticket prices should be cut dramatically to end the image of the Royal Opera and Ballet as the Establishment at play. At her old home on the South Bank, such a scheme would be warmly admired. At the old Opera House, the suggestion of increasing the proportion of proletarian posteriors on seats is greeted with horror. It will, she is warned, lead to hideous financial deficits.

SPRING 1997: according to Lord Chadlington's recollection, Ms McIntosh approaches him and says she is feeling unwell. Loyally and kindly, he tries to help her through her problems but, by May 6, it is all too much. With the help of Keith Cooper, director of corporate affairs, Lord Chadlington attempts to persuade her to stay but she insists her health must come first.

At an emergency board meeting that night, Mary Allen, secretary-general of the Arts Council of England, secretly picked as the new chief executive. On Wednesday, the first public clue that something may be wrong appears in a newspaper interview with Ms McIntosh. Asked whether she enjoys her job, she replies: "It's enormously exciting but sometimes it's hard to keep up."

On Sunday May 11, she attends a recital by Pavarotti at the Royal Albert Hall. She spends much of the following day agreeing a press statement with her chairman announcing that she is leaving the post after four months in the job.

On the Tuesday, Lord Chadlington and Keith Cooper are kissed as they tell the assembled musicians, stage hands and front of house staff that she is leaving. Everybody in the arts world is amazed to hear that she has health problems. Conspiracy theories abound. Some say she was pushed because of friction with her chairman or with Nicholas Payne, the director of the Opera House. Others say she had had enough.

In an attempt to silence the rumour mill, Ms McIntosh composes a letter to *The Times* from her hiding place with friends.

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## Everything's changed – but it's business as usual

**N**ew Britain? Pull the other. The same Queen in the same old House of Lords went through the same old rituals. In the Commons, two Labour back-benchers attacked the Labour front bench, and attacked each other. So what was new? John Major attacked the Labour Party, what was new?

Tony Blair attacked the Government, what was new? Paddy Ashdown called Mr Major "the Prime Minister," attacked both sides and promised to be constructive. So what was new?

The John Redwood made another for the leadership of his Ps so what was new?

One thing, at least, was new: the MPs' uniforms readers of *The Times* will be familiar with the sensations of male awkwardness as one walks into a hairdressing salon. It feels like an imposter. Sprays and lotions seem the room.

And it was just Ronnie Fearn, 65 (Lib Dem, Southport). Mr

Fearn is the oldest former MP and the only retired pantomime dame now to resume his membership of the House after a spell out of office. Welcome, Ronnie – welcome all – to the longest-running pantomime in town.

Long before Her Majesty reached the Lords, MPs were assembling in the Commons. Ted Heath and Dennis Skinner have swapped sides, each now resuming a commanding position at the front, from which they sit. Tory MP's shook hands, looking about with the dazed, anxious expressions of a battalion just emerged from a trench after a sustained bout of heavy shelling. Anxious to discover which of their mates had also survived. Old friends, care-worn, were reunited with relief.

Virginia Bottomley, elegant in pink and black, beamed graciously around as though nothing had happened. Marion Roe (C. Broxbourne), the sole Tory woman to wear a hat, looked across in surprise at an elegant Labour MP whom we cannot name, because her Ascot-style red straw hat obscured her face. Only two hats in the House, and one of them Labour Sign of the times.

The Labour benches were filled with unfamiliar faces. So were the doors and gangways. So were the overflow benches upstairs. Labour MPs seemed to be standing everywhere. Some looked too young to be away from home. One young man sucked tentatively at his thumb, then (remembering Mum's advice) pulled it away. Someone told him to take off his identity pass. Embarrassed, he slipped it into his pocket and looked around to see if anyone had noticed. The thumb kept creeping back towards his mouth.

The new Labour women all seem to dress the same. The style resembles that adopted by cheerful young charter airlines for their in-flight hostesses: standard-issue suits, slightly overcut, in Early Learning Centre colours. Nobody wears dresses any more.

Ann Begg (Lab, Aberdeen S) bowed merrily through the doors in her wheelchair and solved the problem of where to park at the far end of the Chamber, tangled up with the legs of a couple of men. David Blunkett, the Education Secretary, arrived with guide-dog Lucy, a curly-haired black retriever who refused to settle on the Government side, and kept straining for her old patch below

the Opposition Dispatch box. The identical Eagle twins, Angela and Maria (Wallasey; and Liverpool, Garston) sat together dressed mischievously in tomato-coloured suits, identical except that one was just a touch riper than the other. Elsewhere on the Labour benches I spotted a pregnant MP, standing. Nobody offered her a seat. Where were those community values, eh?

**A**n air of expectancy of another sort fell upon the assembly as Black Rod approached. If he hammered on the door, we did not hear it. Marching up, he declared "The Queen commands that Honourable Members..."

"Requests" came the correction an unidentified republican voice on the Labour side.

"... commands that Honourable Black Rod..." continued Black Rod.

"Requests" insisted the republican. "... to attend Her Majesty in

the House of Peers."

"They ought to bring a few seats," growled Skinner.

After lunch, the Debate on the Queen's speech commenced. Peter Mandelson crouching on the step at the Speaker's feet like some hired hit-man awaiting instructions. He grinned wickedly when Gerald Kaufman (Lab, Manchester, Gorton), moving the motion as by custom a senior Government backbencher should, declared himself "a total sycophant" to Tony Blair.

In Mr Mandelson's opinion, "In Mr Mandelson's opinion, " added the mordant Kaufman, "total sycophancy must be regarded as a suspiciously lukewarm form of support."

Kaufman's was a brilliant speech. He gently mocked his own leader, less mocked his old Labour manifesto of 1983, and brought laughter to both sides when he referred to "those increasingly far-off days when Finchley was a Conservative constituency."

It was safe to laugh at this last

joke. But we noted the doubtful expression on many new Labour faces at Kaufman's jokes about his own side. Were they allowed to laugh? Would Mr Mandelson punish them?

A Right-winger, Kaufman was followed by Left-winger Chris Mullin (Lab, Sunderland S). His mention of socialism ("the word didn't do me any harm") and his biting attack on *The Sun* provoked the same unsure looks on young colleagues' faces.

John Major seemed unchanged. He spoke with poise and good humour. But when he began the attack on the new Government's policies, we saw the wisdom of his decision not to delay his departure. The speech was cogent, but MPs' attention wandered.

In reply, Tony Blair kept forgetting he was Prime Minister. He attacked the Government's record on Health, Education and Employment. For just a little longer, perhaps, he can do this. "Enjoy it," one thought, "while you may."

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Matthew Parris looks down on the new House of Commons and witnesses a scene of ritual attack and counter-attack that seems strangely familiar

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## Peers will bow to historic rights of victorious party

By JAMES LANDALE, POLITICAL REPORTER

LABOUR's chances of getting its handgiving and devolution proposals through the House of Lords improved dramatically yesterday after Tory chief signalled for reforming the second chamber next year.

Many peers are deeply opposed to Indians set out in the Queen's speech, and said that if would try to block them the Lords.

However, Viscount Cranborne, the Lib leader in the House of Lords, said that the Opposition's proposal would adhere to parliamentary convention at the second chamber do not overturn Bills pledged a victorious Government manifesto.

The so-called Salisbury Addendum Convention was set out by Lord Cranborne's grandfather, the 3rd Marquess of Salisbury, in the wake of Labour's 1945 election victory. The convention states that the Lords should not reject at Second Reading any government legislation which has been passed by the Commons and which carries a manifesto commitment though peers can still amend Bills, they should not risk or oppose the principle of measure.

While Labour is committed to scrapping voting and sitting rights for hereditary peers, the room was not

included in the Queen's Speech. Many Tories fear that Labour will use any opposition to their measures in the Lords during this Parliament as further justification for reforming the second chamber next year.

Lord Cranborne, speaking on BBC Radio, said: "I have always made it perfectly clear that the Salisbury Addendum convention, established as a private agreement between two parties in 1945, would apply. That is my view. If something has been set out in a victorious party's manifesto from our frontbench advice from the Opposition in the House of Lords would be that we should not oppose the principle of that legislation."

Asked if the Salisbury Addendum convention would continue, Lord Cranborne said: "It will certainly continue to be the case. But as you know there is not an inbuilt Tory majority in the House of Lords. It may sometimes look like that, but if you talk to my Chief Whip, Lord Strathclyde, when he was Government Chief Whip, I don't think he felt it necessarily so when we were in Government."

Labour's decision not to include its House of Lords reforms in the Queen's Speech reflects a reluctance among senior party strategists to

get the new administration bogged down in too many constitutional disputes. Although they are committed to the move, they feel that voters are more concerned that Labour acts to improve health and education before changing more arcane parliamentary rules which seem unconnected with those things about which people are really concerned.

Lord Cranborne criticised Labour's constitutional reforms and insisted that the Lords had a constitutional duty to scrutinise legislation. "We have an obligation to exercise our judgment," he said. "We will take every Bill on its merits and we will react accordingly."

He said some Labour figures were hinting that the party's reforms to the Lords would be delayed if hereditary peers "behaved themselves".

"There will be some siren voices suggesting that what I come to think of as the 'Sword of Damocles' option will be one that they will play. In other words, that if the House of Lords behaves itself, then they might dangle the opportunity of us not being reformed as they propose."

Earlier, Peter Mandelson, Minister without Portfolio, said that Labour remained committed to reform of the Lords, probably in 18 months'

weaker than in the Commons and some Tory peers and crossbenchers feel so strongly that they are likely to ignore his advice.

Time, despite its absence from the Queen's Speech. "We do have some controversial legislation going through the Lords and we hope those lords – all of them, the hereditary ones, too – will respect the mandate we have received from the people and will not frustrate the measures that we are

going to introduce," he said on BBC television.

"I have every confidence that they are going to respect the public's mandate and I am sure they will. If not, I think there will be a head of steam growing very quickly for changes to be introduced."

Lord Cranborne said that

Mr Mandelson was the "fat boy ... making everybody's flesh creep because he needs an enemy to unite his party behind and against".

Many pro-shooting peers are opposed to Labour's plan for a ban on handguns. Tony Blair this week told the parents of the Dunblane

victims that he would use the Parliament Act to force the measure through if peers block it. Under the Act, a Bill defeated in the Lords can be reintroduced after 12 months, with peers powerless to intervene a second time.

Handgun ban, page 11

## Referendums in Scotland and Wales planned for autumn

By JILL SERMAN  
AND JULIA BOWDITCH

LEGISLATION to pave the way for the most radical constitutional reforms in Scotland and Wales for 300 years is to be rushed through the Commons in the next few weeks and voted on in September on whether they want devolution.

A bill to allow referendums on a Scottish parliament and a Welsh assembly will be introduced in the Commons today with the Second Reading planned for Tuesday. Dafydd Dewar, the Scottish Secretary, hopes that the Bill will implement all its stages in both the Commons and the Lords by the end of July, to allow referendums to take place September.

In Scotland voters will be

asked two questions: whether they want a parliament set up in Edinburgh; and whether they want it to have tax-varying powers.

If the referendum is carried – by a simple majority – a second Bill will be introduced in the autumn to set up a separate parliament in Edinburgh with powers to vary tax up or down by 3p. The Government has pledged that a Labour-led Scottish Parliament would not invoke these powers in a first term.

A White Paper giving details of the proposed parliament and assembly is expected to be published in the summer recess.

Yesterday Mr Dewar said he hoped the House of Lords

would not block the devolution Bill although he was aware that the House had been "rattling its sabres". He said: "They will be very unwise to hold that up unnecessarily."

The White Paper is expected to follow closely the recommendations of the Scottish Constitutional Convention, a mainly Labour and Liberal Democrat body. The convention recommended that the unicameral Scottish parliament would have 129 constituency members: 73 constituency members elected on a first-past-the-post system; and 56 on a party list system – seven candidates would be chosen from each of the European Parliament constituencies. The Scottish parliament would be headed by a chief minister and would sit for a four-year term.

The Conservative Party fought Labour's plans during the general election, but failed to secure a single seat in Wales or Scotland for their pains.

Tory MPs are expected to vote against the devolution Bill, but the party in Scotland is now deeply divided on the issue with many members wanting to join the pro-devolutionists.

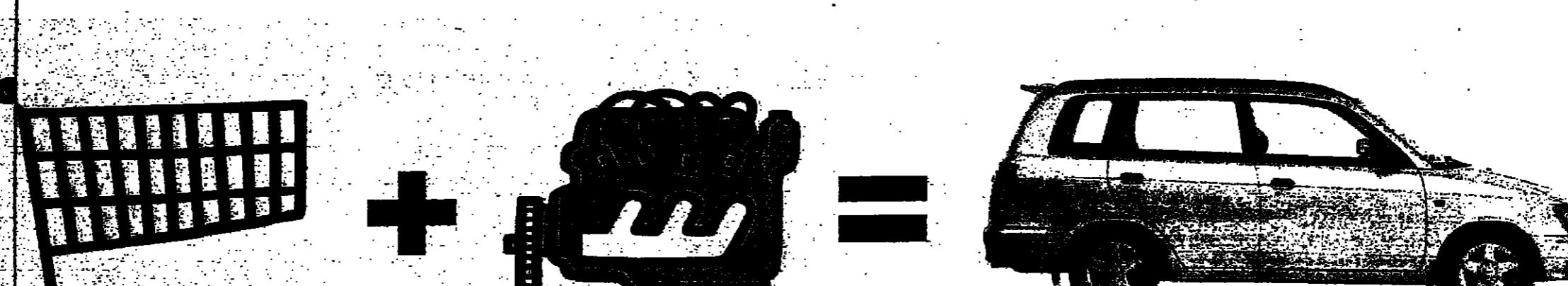
The chairman of the Scottish Tories, Annabel Goldie, has called for a moratorium on the issue until the Scottish Conservative Party Conference in next month.

The measures will put

the creation of a new metropolitan authority for London has consistently been supported by up to 80 per cent of the public in opinion polls over the last decade.

Councillor Toby Harris, chair of the Association of London Government, which represents London boroughs, said consultation with existing bodies responsible for the city was essential. A spokesman for the Corporation of London echoed the view.

But Tony Travers, a local government expert at the London School of Economics, said: "I should think that other cities in the UK will want an elected mayor too. I can't believe that Birmingham, Leeds, Glasgow or Manchester would allow London to have an elected mayor without having one themselves."



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# Priority given to Blunkett's plans to raise standards

By JOHN O'LEARY  
EDUCATION EDITOR

## EDUCATION

MEASURES to raise standards in schools, colleges and universities have top priority in the Blair Government's first legislative programme.

A wide-ranging Bill, to be received by a White Paper next month, will include new powers for failing schools to be taken over, and faster procedures for incompetent teachers to be sacked. All schools will be required to set improvement targets.

Among the most delicate tasks facing David Blunkett, the Education and Employment Secretary, will be to bolster grant-maintained schools and find a new role for education authorities. The Queen's Speech promised a new framework for decentralised and equitable organisation for schools.

Labour has outlined a new structure for state schools, in three different categories. Head authority schools would become community schools; those associated with church or charitable bodies would be known as aided schools; and grant-maintained schools would be offered the halfway house of "foundation" status. Head authorities would oversee admissions policies for all three types, as well as providing central services.

In an interview with *The Times*, Mr Blunkett promised

authorities would be left to tackle the problem of incompetent teachers. Mr Blunkett said that existing dismissal procedures, which can take up to two years, must be accelerated in the interests of pupils, although teachers would retain the same employment protection as other employees.

The Bill will also see the Government's first moves to promote life-long learning. Labour has promised individual "learning accounts" to encourage adults to continue their education.

Teachers' leaders welcomed the high priority given to education, but were more cautious about some of the likely initiatives. David Hart, general secretary of the National Association of Head Teachers, said that the only glaring omission was a commitment to provide the resources needed to achieve higher standards.

Local authorities said they would not fear the introduction of improvement targets, which were already in common use. The Local Government Association said it would be seeking powers to intervene more quickly where schools were failing, rather than relying on "blaming and shaming" them.

Mr Blunkett had pressed for an emergency Bill to prevent independent schools offering assisted places for 1998. In the next few weeks, a Bill will be

introduced to phase out the £160 million assisted-places scheme and create a framework to transfer the savings to state primary schools to reduce class sizes for five, six and seven-year-olds.

Existing assisted places will be protected, including those to be taken up this September,



First in line: schoolboys waiting outside Buckingham Palace yesterday morning to watch the Queen's carriage leave for Parliament

but preparatory school pupils are expected to lose state support when they transfer to senior schools. The scheme operates on three-year contracts, which will be revoked when the measures are enacted. Independent-school associations are waiting to see the proposals in detail before deciding whether to undertake a legal challenge.

Jackie Lang, the headmistress of Walthamstow Hall School, in Kent, and vice-chairman of the independent schools' committee on assisted places, said: "We don't want to get off on the wrong foot with Labour because we have been heartened by the talk of building bridges between the sectors. But clearly we want to make sure that any Bill is correct."

The abolition of assisted places is one of Labour's longest-standing education policies, and schools with a high proportion of assisted places have long been planning to bridge the funding gap.

Experts are divided over whether the savings will be enough to fulfil the Government's pledge to reduce class sizes to a maximum of 30 in the first three years of primary school within five years.

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## 'For the benefit of the whole nation'

This is an edited text of the Queen's Speech to Parliament yesterday.

My Government intends to govern for the benefit of the whole nation.

The education of young people will be my Government's first priority. They will work to raise standards in schools, colleges and universities and to promote lifelong learning at the workplace. They will cut class sizes, using money saved as a result of phasing out the assisted places scheme.

A further Bill will contain measures to raise educational standards, develop a new role for local education authorities and parents, establish a new framework for the decentralised and equitable organisation of schools, propose reforms to the teaching profession, and respond positively to recommendations from the National Committee of Inquiry into the future of higher education.

The central economic objectives of my Government are high and stable levels of economic growth and employment, to be achieved by ensuring opportunity for all. The essential platform for achieving these objectives is economic stability.

To that end a Bill will be introduced to give the Bank of England operational responsibility for setting interest rates, in order to deliver price stability and support the Government's overall economic policy, within a framework of enhanced accountability.

My Government will also ensure that public borrowing is controlled through tough fiscal rules and that the burden of public debt is kept at a stable and prudent level.

They will aim to deliver high and sustainable levels of growth and employment by encouraging investment in industry, skills infrastructure and new technologies; by reducing long-term unemployment, especially among young people; by promoting competition; and

by helping to create successful and profitable business.

My Government has pledged to mount a fundamental attack upon youth and long-term unemployment and will take early steps to implement a welfare-to-work programme to tackle unemployment, financed by a levy on the excess profits of the privatised utilities, which will be brought forward in an early Budget.

A new partnership with business will be at the heart of my Government's plans to build a modern and dynamic economy to improve the competitiveness of British industry. They will bring forward legislation to reform and strengthen competition law and introduce a statutory right to interest on

late payment of debts. My Government is committed to fairness at work and will introduce a national minimum wage.

Legislation will be brought forward to amend criminal law and to combat crime, including reform of the youth justice system and measures against anti-social behaviour. A Bill will be introduced to prohibit the private possession of handguns.

My Government will improve the National Health Service, as a service providing care on the basis of need to the whole population. They will bring forward new arrangements for decentralisation and co-operation within the service and for ending the internal market.

A Bill will be introduced to incorporate into United Kingdom law the main provisions of the European Convention on Human Rights.

Legislation will be introduced to allow the people of Scotland and Wales to vote in referendums on my Government's proposals for a devolved Scottish Parliament and the establishment of a Welsh Assembly. Legislation will be intro-

duced to provide a referendum on a directly elected strategic authority and a directly elected mayor for London.

In Northern Ireland, my Government will seek to end the Troubles, to reconcile communities, to bring about peace and to restore confidence in the integrity of the institutions of government.

My Government will seek to restore confidence in the integrity of the institutions of government by holding the highest standard of honesty and probity in public life. They will consider how the funding of political parties should be related and reformed.

Other measures will be laid before you.

My Lords and Members of the House of Commons, I pray that the blessing of Almighty God may rest upon your counsels.

## Sport sponsorship in danger

By IAN MURRAY  
MEDICAL CORRESPONDENT

SPORTS sponsorship is likely to be restricted or banned by the Government as part of draft legislation to be introduced this summer, ending advertising by tobacco companies.

This will be a key element in a drive to reduce smoking, a habit which kills an estimated 100,000 people a year in Britain and three million worldwide. Tobacco companies spend £3 million on sponsorship and an estimated £90 million on advertising annually in Britain.

Tessa Jowell, Minister for Public Health, said: "We will

need to look carefully at how to remove tobacco advertising from sporting events without creating any backlash, as those

events in the UK." She said a range of measures was needed to reduce smoking, especially the rate at which young people were taking up the habit, which was the greatest single preventable cause of death and disease.

The Government is to organise a seminar of British and international experts to formulate a policy for a White Paper by the summer.

Professor Gordon McVie,

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# First Bill of Rights since 1688 will give courts new powers

BY FRANCES GIBB, LEGAL CORRESPONDENT

**BRITONS** will be able to apply directly to courts in the United Kingdom to enforce their human rights, rather than seek justice in Europe under measures that take the country towards its first Bill of Rights for 300 years.

The Bill will strengthen the powers of justice by incorporating the European Convention on Human Rights into domestic law, enabling them to hear human-rights cases. Sponsored by the senior Justice, the Bill would give the power to test British law against the European Convention on Human Rights to ensure they comply with the convention.

In effect, it extends the court's jurisdiction to cover any decisions of government bodies alleged to infringe the guaranteed rights in the convention, such as the right to a fair trial, to family privacy or freedom of expression. For individuals, the benefit would be that they can take allegations of abuse of human rights to the courts in this country, instead of following the long and costly route through the European Court of Human Rights in Strasbourg.

The United Kingdom has one of the worst records for adverse rulings by the European Court of Human Rights and the new Bill could mean that perhaps 90 per cent of those cases will be decided in Britain rather than Strasbourg.

Jack Straw, Home Secretary, said yesterday: "Just incorporation of the convention on the European model would be a huge advance for human rights. It would be the first time that legislation over all of rights for Britain has been brought before parliament since 1688."

The key question framing legislation is whether the judiciary would have power to strike down Acts of Parliament, or whether parliament would preserve sovereignty. That depends on which model is adopted. The one most likely to result in the New Zealand Bill of Rights Act 1990.

That Bill is nonconservative

than that used in Canada — originally favoured by Labour — and more likely to win support from those who fear that such a Bill would give judges too much power. The architect of the model is Lord Lester of Herne Hill, QC, who has campaigned for the incorporation of the European Convention on Human Rights for nearly 30 years.

Two years ago he promoted a Private Member's Bill along more radical lines, which

failed. His original Bill would have empowered courts to strike down Acts of Parliament that conflicted with the European Convention.

He has drawn up a revised version which he argues would be more certain of wide support in the Commons. In the current climate of concern about threats to parliamentary sovereignty, it would also win the judges' backing. Senior judges do not "have enthusiasm for new powers that would put them so directly at odds with the elected branch of parliamentary government".

Yesterday, Lord Lester said: "I have been campaigning for this reform for 29 years and I rejoice that this is now to happen. It is marvellous news for the people of this country."

## Appeal rights for deportees

Immigrants facing deportation on the ground of national security will have the right of appeal to a new body, under a Bill bringing Britain into line with other European countries. The move follows an appeal to the European Court of Human Rights by Karamjit Singh Chahal over a decision to deport him to India. The European court ruled that his rights had been violated by the absence of a judicial involvement in testing "national security".

Anthony Lester, page 20

## Cash will be distributed more fairly

BY ALEXANDRA FREAN, LOCAL GOVERNMENT CORRESPONDENT

THE National Lottery will be operated on a non-profit-making basis when it contract with Camelot ends in 2001. Polly Newton writes.

Camelot made £76 million in pre-tax profits in its first year of business last year. Lottery money will be used to fund after-school clubs where children can take part in extra-curricular activities and do homework.

Funds will be channelled into training in computer skills for teachers and the creation of "health living" centres. Lottery profits will continue to pay for arts, sports, heritage and charity projects. Schemes mark the millennium will give lottery money as grants.

The National Lottery Bill will create a trust for the National Endowment for Science and the Arts to help to put into practice innovative business ideas. The Government will also revamp the way lottery funds are distributed, to ensure that no region receives a proportionate share.

through credit approvals, to the authorities that need it most," she said.

Although some of the money from the capital receipts might be released before next year, Ms Armstrong does not expect to see massive sums invested in social housing for at least a year. Many local authorities are simply not used to spending such large amounts on housing.

John Perry, head of policy

at the Chartered Institute of Housing, said that a pooling of the funds available through the capital receipts would be necessary to ensure an equitable distribution.

"What will probably happen is that the affluent authorities, such as Bromley, which has around £200 million in capital receipts, will be able to spend about 25 per cent of the money. The remaining 75 per cent will remain frozen in their accounts. The spending power of that money will be pooled nationally and redistributed,

## Shackles to be removed from councils' capital funds

BY ALEXANDRA FREAN, LOCAL GOVERNMENT CORRESPONDENT

through credit approvals, to the authorities that need it most," he said.

James Rebbeck, a spokesman for the Royal Institution of Chartered Surveyors, estimated that the measure should release between £600 million and £800 million a year for the next five years.

"We think that will create 13,000 new jobs a year for the construction industry for each of the next five years," he said.

The supply of housing provided by the new money will not meet the predicted demand, however. It has been estimated that a further 4.4 million dwellings will be needed by 2016 to cope with the increase in single-person households. The social housing stock is thought to have a backlog of disrepair amounting to £20 billion.

A sum of £5 billion would buy 70,000 new council houses or flats, or 40,000 new housing association homes. Alternatively, it could cover the cost of renovating and upgrading 250,000 existing properties.



Carol Page, the British women's .22 pistol champion. A total handgun ban would end her hopes of attending a third Olympic Games

## Pistols will be illegal by end of the year

BY RICHARD FORD  
HOME CORRESPONDENT

PRIVILEGED owned handguns will be outlawed by the end of the year after a government decision to extend a partial ban introduced after the Dunblane massacre.

The Commons will be given a free vote, but the size of Labour's majority means that a ban is now a foregone conclusion. The move would mean the end of pistol shooting as a sport.

The Prime Minister, who met Dunblane parents at Downing Street on Tuesday, is confident that the measure will pass comfortably. How-

ever, the Government expects strong opposition from some Conservative MPs and peers. Jack Straw, the Home Secretary, promised that a Firearms (Amendment No 2) Bill would be the Home Office's first priority and would be introduced "this side of summer".

It would propose a ban on all handguns of .22 calibre and below, which were excluded from the Conservative Government's Firearms Act. It is estimated that 40,000 small handguns would have to be destroyed as a result of the Labour Bill, in addition to

the 160,000 already scheduled for destruction.

Campaigners against tighter gun laws pledged last night to renew their fight against a total ban. They accept that they have virtually no chance of success. Graham Downing, spokesman for the British Shooting Sports Council, said: "Our view is that the legislation on the statute book is damaging enough. The measure being proposed will wipe out completely the sport of pistol shooting. It is disproportionate and unfair."

Carol Page, 48, a double Commonwealth bronze medallist at .22 pistol shooting, said that a ban would end

her hopes of competing in her third Olympic Games. "I am stunned. I have done nothing to warrant this. It has taken me two decades to get to Olympic standard. Even if I emigrate to a country where we would be able to use and hold pistols, there is hardly likely to be funding from the Sports Council to support a Great Britain pistol team."

Eileen Harrild, the Dunblane PE teacher who was the first to be shot in last March's massacre, said that a ban would be a lasting tribute to the 16 dead children and their teacher. "The rights of society to be safe must override the right to shoot."

## Government land ban poses threat to 60 fox hunts

HUNTING

close, would not require Parliamentary legislation.

There was no mention of hunting in the Queen's Speech, but the Government undertook in its election manifesto to hold a "free vote" on whether all hunting with dogs

should be banned. This could be done through a Private Member's Bill.

The Forestry Commission confirmed yesterday that it had met Elliot Morley, the Minister for Fisheries and the Countryside, to discuss a ban and had been asked to submit a report on the implications for control of fox numbers.

Janet George, of the British Field Sports Society, said: "There would be grave consequences for about 36 hunts if they were denied access to Forestry Commission land. Many would have to reduce the number of days they hunted and some would have to close. If Ministry of Defence land is lost as well, another 22

packs would be badly affected."

Josh Stratton, who runs a 3,500-acre farm on Salisbury Plain, said: "Like many other farmers round here, I allow the Army to use my land for lightweight exercises. This is done out of sheer goodwill and that goodwill would evaporate if hunting were stopped."

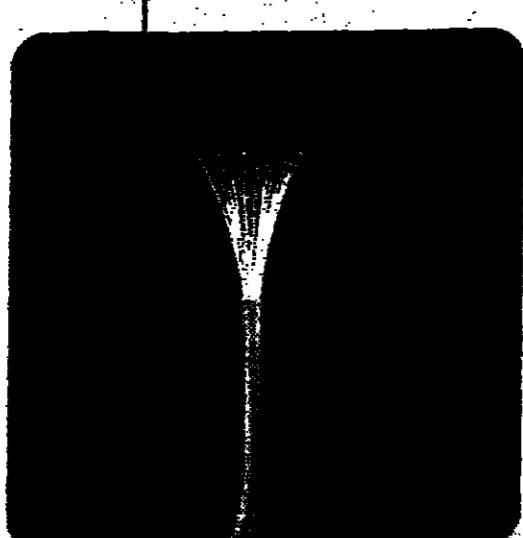
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# Use your majority with care, warns Major

By JAMES LANDALE AND POLLY NEWTON

JOHN MAJOR urged Tony Blair yesterday to use his huge Commons majority carefully, and promised the Tories would provide a "vigorous opposition".

Opening the Commons debate on the Queen's Speech, the Leader of the Opposition told Mr Blair that the Government's programme contained a "very great deal" that the Conservatives could support. But he expressed concern that Mr Blair had given the Bank of England independence over interest rates and had reformed Prime Minister's Questions without consulting MPs. Mr Major said that

**THE DEBATE**

Labour had handed "a very important political power to unelected officials" and damaged the Chancellor's choices in managing the economy. The Bank's control of interest rates would ensure that "unemployment will grow and growth will be held back".

He criticised Mr Blair's plan for devolution as "profoundly dangerous" and challenged him to say whether he would follow convention and allow them to be discussed on the floor of the Commons rather than "smuggled upstairs to a committee packed with devolution enthusiasts".

Mr Blair said Labour was now the "one-nation party" of British politics. "We speak for the whole nation and we will serve the whole nation." The Queen's Speech represented the "alliance of progress and justice too long absent from British politics under Conservative government." He added: "Our mandate is clear — to modernise what is outdated and to make fair what is unjust, and to do

both by the best means available irrespective of dogma or doctrine and without fear or favour."

He said that Tory scares about Labour no longer worked. "People know them to be false. They rejected them in the last election. If Tory MPs have learnt no lessons from the last election defeat, they had better prepare themselves for the next one."

The two reasons for Labour's historic win were, he said, the Conservative Party and the Labour Party. "The Conservative Party lost touch with the instincts and aspirations of the British people. They broke their election promises. They were more interested in fighting amongst themselves than fighting for the interests of the country."

Mr Blair defended his decision to allow the Bank of England to set interest rates. "The Government shouldn't be able to play politics with people's mortgages," he said.

The Queen's Speech was "the ambitious but practical programme of a new Labour Government which has its feet on the ground, sound values in its heart, the necessary mixture of idealism and realism which the modern age demands".

Paddy Ashdown said that the Liberal Democrats would be "critical but firm supporters" of the Labour Government. He hoped for reform of the constitution, society and the culture of politics, as well as of Britain's education and welfare systems and its relations with Europe, and of the Government's approach to the environment and the way the economy was run. He said that many of the measures in the Queen's Speech had first been proposed by his party.

There were some issues,



The Queen arriving at the Palace of Westminster yesterday to outline the first programme set out by a Labour government since the 1970s

such as the environment, "which ought to be in this programme, but which are ignored," the Liberal Democrat leader said. On others, such as education, "the intentions are good, but meaningless, unless they are matched by the resources to make them a reality".

In the traditionally light-hearted welcome given by a

senior government back-bencher to the Queen's Speech, Gerald Kaufman, Labour MP for Manchester Gorton, said its measures would be welcomed by his constituents. But he acknowledged that some voters thought that all politicians were the same and were hard to please.

One whom he had visited in

the run-up to polling day in February 1974 accused him of appearing on her doorstep only when an election loomed. When he returned during the election campaign of October that year, she complained: "Oh, you ... you're always round here!"

Wondering why he had

been selected to propose the motion thanking the Queen

for the Speech, Mr Kaufman recalled that on a recent radio programme he had admitted to being a "total sycophant" of the Prime Minister. "However, I do realise that under the iron heel of the Minister without Portfolio [Peter Mandelson], total sycophancy must be regarded as a suspiciously lukewarm form."

Seconding Mr Kaufman,

SIMON WALKER

**ULSTER MARCHES**

Ministers will introduce legislation to implement in full the North report, which recommended that an independent commission adjudicate contentious parades. The Government will also update the Emergency Provisions Act: Northern Ireland will expire next year. Under the proposed new legislation, which would come into force within a year, the commission would ban and reroute parades or allow a march to pass along its traditional route. The Chief Constable of the RUC would have the right to refer the decisions to the commission or the Northern Ireland Secretary.

**YOUNG OFFENDERS**

Children as young as ten are to carry out work in the community punishment for crimes. Laws will be introduced children under ten tried by the courts to be risk by being left unattended at night. Jack Straw, the Home Secretary, is also aiming to be the time from arrest the sentencing of your offenders. The main proposals of the Crime and Justice Bill include repealing repeat police cautioning with a single final warning and scrapping the assumption that children aged 10-14 are incapable of telling right from wrong.

**FREEDOM OF INFORMATION**

Cabinet papers could be open to the public under plans: a Freedom of Information Act. David Clark, the Chancellor of the Duchy of Lancaster, is to review the controversial confidential rule for the non-disclosure of information. The Bill will include a right of access to government with decisions on disclosure by subject to judicial review, a mechanism to review complaints against non-disclosure and the appointment of a new information commissioner; and public interest override which would take precedence over legislation barring disclosure.

## State could finance parties

By ARTHUR LEATHLEY  
AND VALERIE ELLIOTT**PARTY FUNDING**

STATE funding of political parties is to be considered as part of a reform of the current system of party funding. Ministers plan a Bill outlawing overseas donations after the Committee on Standards in Public Life, under the chairmanship of Lord Nolan, has conducted its own inquiry into political funding.

Tony Blair has sought Lord Nolan's views on party political funding. However, the issue could be delayed while the Government finds a new committee chairman to succeed Lord Nolan when he stands down in the autumn.

Labour does not accept money from overseas donors and has claimed that Conser-

vative coffers have been swollen by foreign donations. Senior Tories refuse to disclose details of party funding. Labour has accepted donations from expatriots but says it would accept money only from people who have a direct democratic interest. Labour has introduced its own internal rules that donations over £5,000 be disclosed and is expected to press for such a move to become law.

## Doctors back end of internal market

By IAN MURRAY  
MEDICAL CORRESPONDENT

ACTION to make cuts in bureaucracy that would save £100 million a year for health care is already underway, doctors' leaders were told yesterday during their first meeting with Frank Dobson, the Health Secretary.

The meeting was to outline the proposals in the Queen's Speech for dismantling the

internal market of the National Health Service, which was the cornerstone of the reforms brought in by the Conservatives eight years ago. The intention is to end the purchaser/provider relationship and do away with the two-tier system created by fundholding GPs.

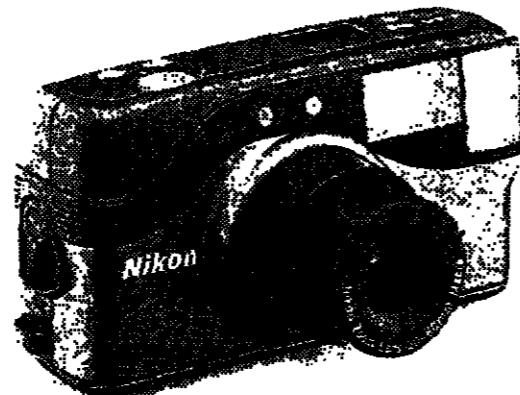
A White Paper is to be

introduced in the next session of Parliament explaining how the complex system of contracts between GP fundholders and health authorities is to be replaced by a network of co-operative commissioning groups to provide "care on the basis of need".

The British Medical Association endorsed the abolition of the internal market, but did not believe that the £100 million savings would be enough to head off what it claimed was a looming financial crisis. Ian Bogle, chairman of the association's GPs' committee, said he was encouraged by Mr Dobson's promise to work with the profession.

Legislation will be introduced to clarify the powers of NHS trusts to enter partnerships with the private sector. Philip Hunt, chief executive of the NHS Confederation, said the changes looked promising.

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Pledge not to deploy tactical nuclear weapons in Eastern Europe helps Russia to accept deal

## Nato-Moscow pact clears path for alliance expansion

By ROBIN LEIGHEN IN MOSCOW AND MICHAEL EVANS, DEFENCE CORRESPONDENT

**NATO** reached a historic agreement with Russia yesterday which cleared the way for Poland, the Czech Republic and Hungary to join the alliance and guaranteed Moscow full consultation rights on all important security issues.

To the surprise of Javier Solana, the Nato Secretary-General, and chief negotiator with the Russians, all the outstanding obstacles to a deal with the Kremlin were resolved at a meeting in Moscow with Yevgeni Primakov, the Foreign Minister.

Mike McCurry, the White House spokesman, welcomed the news and said the prospective agreement was something President Clinton had worked hard on. Mr Clinton met President Yeltsin of Russia in Helsinki in March, to try to reach an agreement, but difficulties remained over the deployment of forces in new Nato member states.

Despite Moscow's public condemnation of Nato's plans to invite former members of the Warsaw Pact to join the alliance, the Russian negotiators were finally won over when Senior Solana offered guarantees about the deployment of conventional forces east of the present Nato borders.

The agreed text of the proposed Nato-Russia Act, which is expected to be signed by Mr Yeltsin in Paris on May 27,

includes a pledge by the alliance that it has no intention of stationing substantial forces permanently in the new member states.

The language of the text agreed in Moscow yesterday makes clear that Nato will develop infrastructure in the new member states "to suit the strategic environment". One senior Nato source said: "In other words, we have told the Russians that any new infrastructure will be purely to ensure inter-operability between the forces of the new member states and the rest of the alliance, and to provide facilities for rapid deployment, rather than stationing additional combat forces. The more infrastructure, the fewer troops we will need to deploy."

The Russian Foreign Ministry said that "very substantial progress" had been made at the talks. According to Nato sources, the Russians were finally impressed by the argument that Nato had no wish to start deploying divisions in

the Warsaw Pact area.

Some Nato members had proposed including concessions on the deployment of nuclear and conventional forces in a separate document

Poland or to base nuclear missiles in the new member countries. One source said: "We told them to look at Turkey and Greece and Norway as examples of Nato members where the alliance has not stationed substantial numbers of troops. The infrastructure, most of which will have to be paid for by the host nations, will be principally to do with improving air defence and creating basic facilities for rapid deployment."

The deal with Russia marks a personal triumph for Señor Solana, 54, the former Spanish Foreign Minister who was mandated last December to try to negotiate a security agreement with Russia and to overcome Moscow's fears over Nato's planned eastwards enlargement. He made clear from the start that, although he wanted a deal with Moscow, Russia did not have the right to veto Nato's plans to accept new members from Eastern Europe.

In six rounds of negotiations with Mr Primakov, who once was chief of Russia's foreign intelligence service, Señor Solana persuaded Moscow that it stood to gain more by signing an agreement with Nato. Some Nato members had proposed including concessions on the deployment of nuclear and conventional forces in a separate document

attached to the main text. However, everything is to be contained in a single document which will form the basis of the new security partnership with Russia.

The document also outlines the proposed establishment of a Nato-Russia Council, a formal structure that will require both partners in a reciprocal arrangement, to consult each other on all issues affecting the overall security of Europe.

The deal on conventional forces will be similar in tone and substance to the agree-

ment on nuclear forces, under which Nato has said it has no intention, plan or reason to deploy tactical nuclear weapons on the territory of new members. The senior Nato source said: "We don't need to and we don't want to. Building nuclear bunkers would be very expensive and the security environment makes this unnecessary, anyway. We can continue to rely on dual-capable tactical aircraft [based in Germany] and the sub-strategic capability of Britain's Trident missiles."

Throughout the negotiations with Moscow, Señor Solana has been anxious to avoid the criticism of treating Poland, the Czech Republic and Hungary as "second class" members of the alliance by offering Moscow too many concessions. However, Nato sources said that all the countries in Eastern and Central Europe which were queuing up for membership had been consulted. "You won't find any worried people in Warsaw; they know what's in the text of the agreement with Moscow."

one Nato source said. Señor Solana went to Moscow to meet Mr Primakov with a clear set of guidelines agreed by Nato's North Atlantic Council. Last night, after returning from the Russian capital, he briefed Nato ambassadors on the agreement. Although the document is to be called a Nato-Russia Act, alliance sources said that it would not be legally binding like an international treaty — something the Russians had originally demanded — but would be similar to the Helsinki Final Act, a declaration of political commitments which governs international human rights.

The proposed Nato-Russia Council is intended to provide Moscow with an effective and practical forum for consultation. The text of the agreement also allows for an exchange of liaison officers so that the Russians will have a permanent office at Nato headquarters in Brussels and at other command centres.

Leading article, page 21



Yevgeni Primakov, Russia's Foreign Minister, and Javier Solana seal their agreement yesterday to allow Nato's eastward expansion

## 30-year sentence for millionaire who murdered wrestler

FROM TUNKU VARADARAJAN IN NEW YORK

JOHN DU PONT, one of the wealthiest defendants in the history of American crime, has been sentenced to a maximum of 30 years' imprisonment for the murder of David Schultz, an Olympic gold medal-winning wrestler.

Prosecutors had sought the maximum 40-year term arguing that Du Pont, whose fortune is estimated at \$250 million (£150 million), was an extremely dangerous mix of wealth, perception of power, self-centredness, desire and greed.

The defence and the prosecution, however, declared themselves "satisfied" with the outcome.

The state must now decide

whether Du Pont, 58, serves his time in jail or a mental hospital. He is a paranoid schizophrenic, and the Philadelphia jury which found him guilty of murder in February agreed that his mental illness had played a part in the shooting.

Du Pont has already served 15 months in a variety of prisons and institutions, and would be 70 years old before he became eligible for parole.

In an indication that he is more likely to be confined in a remedial institution than a prison, Patricia Jenkins, the judge, said: "As long as he lives, Du Pont's mental illness can never again be ignored."

The murder took place on January 26, 1996, when the millionaire fired several bullets into Schultz while the wrestler was repairing his car on the Du Pont estate.

Du Pont later barricaded himself inside his mansion for two days while he bargained over the telephone with police. He was arrested when he wandered outside.

After being sentenced, Du Pont offered a few words of remorse to the wrestler's widow and two young children. In his first public utterance since his arrest, he said: "I've fully conceded that on January 26, 1996, I was ill. I wish to apologise to Nancy Schultz and her children. I'm very sorry for what happened."

The murdered man, who won a gold medal at the Los Angeles Olympics in 1984, worked as an instructor at Du Pont's internationally renowned wrestling centre. The convicted man is the grandson of E. I. Du Pont, who in 1802 founded the chemical firm that bears his name.

Du Pont is led away after the court ruling

## Gulf War study finds link to memory loss

Washington: New research has linked exposure to nerve gas with memory loss, one of the disorders suffered by Gulf War veterans. The Pentagon said yesterday (Ian Brodie writes). Rats injected over two weeks with low levels of the family of chemicals that includes the nerve gas sarin and many pesticides suffered brain damage similar to that in people with memory loss. The Pentagon described the findings as important, but said it was too early to draw firm conclusions. More than 20,000 US troops may have been exposed to nerve gas after the war when an Iraqi ammunition dump was blown up.

Release of the research follows the British Government's announcement this week that it will approve new research projects to try to determine the causes of multiple health problems known as "Gulf War syndrome" that have afflicted British and American veterans of the conflict.

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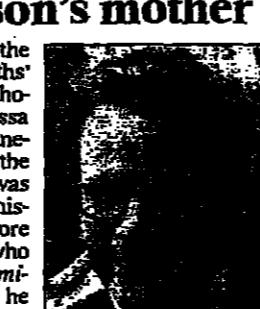
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**Actor harassed son's mother**

Baltimore: John Heard, right, the actor, was sentenced to 18 months' probation and ordered to seek psychological treatment for harassing Melissa Leo, the actress mother of his nine-year-old son. Heard, best known as the father in the *Home Alone* films, was convicted in March of telephone misuse and trespassing for making more than 100 telephone calls to Ms Leo, who appears in the TV police series *Homicide*. If he violates his probation, he could face six years in jail. (AP)



**Laser 'attack' on helicopter**

Washington: The Pentagon said a Russian merchant ship in American waters may have shone a laser on a Canadian military helicopter last month, causing painful burns to two people on board. However, a spokesman said the *Kapitan Man* was searched by the US Coast Guard three days later and no device was found. The pilot and a US Navy lieutenant reported burns to their eyes the day after the incident. (Reuters)

**'Dracula' descendant dies**

Paris: Alexandra Caradja-Kretzulesco, a Romanian princess who claimed direct descent from the 15th century Prince Vlad of Transylvania — also known as Vlad the Impaler, whose exploits inspired Bram Stoker's fictional vampire, Count Dracula — has died in Paris, aged 77. (Reuters)

## Oil deal may spark trade row with US

BY BRONWEN MADDOX  
IN WASHINGTON  
AND MICHAEL BINION

IN WHAT could prove to be the first diplomatic test for the new Government, the United States is threatening to impose sanctions on a British-Canadian consortium if it drills for oil in Iran.

Britain's Pelli Frischman and Canada's Bow Valley are understood to have been awarded a contract worth up to \$140 million (£87.5 million) by Iran to develop the offshore Balal oilfield.

The State Department was consid-

ering yesterday whether the two firms should become the first to be penalised under the 1996 Iran-Libya Sanctions Act, passed in the wake of US charges that the two states sponsor terrorism. Under the law, companies investing more than \$40 million in any one year in Iranian or Libyan oil or gas projects could face financial penalties or trade sanctions.

There has been speculation that the State Department is loathe to apply sanctions because a row with import trading partners could ensue. But it claims the Act has been successful because it has deterred investment. If

sanctions are imposed on the British firm, the Government must decide if it should confront Washington on the matter. Britain has been one of the most vociferous opponents of the law. But Labour has promised to toughen Britain's stance towards countries accused of human rights violations, so the Government may decide to support the US decision.

The Iranian contract comes a month after a verdict by a German court that Iran was responsible for the murder of Kurdish exiles. That decision led to new sanctions by the European Union.

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THE SUNDAY

## Proposed Israeli Act 'will outlaw New Testament'

FROM CHRISTOPHER WALKER IN JERUSALEM

CHRISTIANS are up in arms about a proposed Israeli law that they fear could be interpreted as making possession of the New Testament a criminal offence punishable by a year in jail.

The proposed legislation takes the form of a far-reaching extension of statutes against missionary activity. The proposal has recently passed its first Knesset reading and is now before the Law Committee of the 120-seat parliament.

Clarence Wagner, a prominent Jerusalem-based Christian and member of the religious group Bridges for Peace, said: "There has been a preliminary reading on a law which makes it illegal to have literature which can be considered missionary. Just having a

seduction to convert religion", especially that involving minors and offering financial inducements to Jewish adults to convert.

Jan Willem Van der Hoeven, the spokesman for the pro-Israel International Christian Embassy in Jerusalem, told *The Jerusalem Report*: "Churches around the world have fasted and prayed against this law." He expressed concern that it could diminish broad support for Israel among evangelical Christians.

Christians are hoping to whip up parliamentary opposition against the further readings necessary to transform the Bill into law. Christian leaders are well aware, however, that religious Jews won large numbers of votes in last year's election and, with 23 seats in the Knesset, could make or break any feasible coalition led by a secular party.

The Bill's sponsors, Moshe Gafni, of the ultra-Orthodox United Torah Judaism Party, and Nissim Zvili, of the main opposition Labour Party, claim that they are responding to a Christian missionary campaign last year, when hundreds of thousands of Jews received proselytising material in the post.

Mr Zvili, a close ally of Shimon Peres, the defeated Labour leader, denied that his sponsorship of the Bill had anything to do with Labour attempts to woo religious parties away from the ruling right-wing coalition. He

porting a moderate curtailment of abortion to avoid another showdown with opponents of abortion in Congress. Anti-abortion sentiment in both Houses has grown since the November elections.

Congress has often sought to chip away at the Supreme Court's 1973 ruling which legalised most types of abortion by trying to restrict the availability of the operation. But proposed legislation, if passed, would mark a much greater en-

croachment in that it would ban an entire category of abortions. Mr Clinton was considering yesterday whether to throw his weight behind a Bill proposed by Tom Daschle, leader of the Senate Democrats, which would ban abortions after the point at which the foetus was deemed viable, or able to survive outside the womb. Mr Daschle estimates that viability comes after 23 to 28 weeks.

The Bill makes an exception for

cases where the mother's health risks "grievous injury", a principle Mr Clinton supports vigorously. He has used his veto against previous Bills that did not make that exception. Although the exception is more narrowly worded than he would like, he may be tempted to support Mr Daschle's Bill so as to scupper a Republican-backed Bill aiming to ban "partial birth" abortions which makes no exceptions for the woman's health.

"Partial birth", referred to by doctors as "dilation and extraction", is a abortion procedure where the skull of the foetus is crushed before the foetus is drawn out. Opponents of abortion rights have focused on it in the past year as a way of drumming up popular support for anti-abortion Bills.

Of the 1.3 million abortions performed each year in the United States, about 1.3 per cent take place after 20 weeks, halfway through a pregnancy. Doctors put the number of partial birth abortions at about 2,000, most before the foetus could live on its own.

Under the Republican-backed Bill, a doctor performing an illegal abortion would face a \$250,000 (£153,000) fine and two years in prison. Under the Democrat Bill, he or she would face a \$100,000 fine and suspension of licence for a first offence, and a \$250,000 fine and loss of licence for a second offence.

A Christian cleric in the Church of the Holy Sepulchre, Christ's traditional burial place, in Jerusalem

## Clinton aims to foil hardliners by backing moderate Bill on abortion

FROM BRONWEN MADDOX  
IN WASHINGTON

PRESIDENT CLINTON was on the verge of supporting a ban on late abortions yesterday, a landmark decision that would allow Congress to remove an important slice of abortion rights in force for a quarter of a century.

As the Senate began a two-day debate on abortion rights yesterday, Mr Clinton was considering sup-

porting a moderate curtailment of abortion to avoid another showdown with opponents of abortion in Congress. Anti-abortion sentiment in both Houses has grown since the November elections.

Congress has often sought to chip away at the Supreme Court's 1973

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Dennis Ross, the US envoy trying to break the deadlock in peace talks between Israel and the Palestine Liberation Organisation, tours the Hisham's Palace archaeological site in Jericho with the chief PLO negotiator, Saeb Erakat. Talks broke down over Israeli settlements in Arab east Jerusalem. Mr Ross was due to host more talks last night

## Supreme Court turns down inquiry plea

Jerusalem: Israel's Supreme Court yesterday rejected a request to set up a commission of inquiry into the alleged corruption surrounding the appointment of a new Attorney-General earlier this year.

The five judges turned down most of the nine petitions filed by various plaintiffs about the matter, which involved the short-lived appointment to the post in January of Roni Bar-On, a friend of Benjamin Netanyahu, the Prime Minister.

The judges rejected a demand that a state commission should be set up to look into the entire affair and that the Government should publish the full findings of an investigation that led the police to recommend that Mr Netanyahu should face charges.

Several of the remaining petitions still being considered by the Supreme Court demand that it should overturn the decision not to charge Mr Netanyahu over the affair. (AFP)

## McVeigh defence strategy backfires

FROM IAN BRODIE  
IN WASHINGTON

THE small-town lawyer who portrayed Timothy McVeigh as a friendly young man wrongly accused of the Oklahoma City bombing has seen the prosecution pile up a devastating case that has the defence reeling.

For two years, Stephen Jones courted the American media as a spin-doctor on behalf of his client. He hunted darkly of foreign terrorist involvement in the bombing. He suggested that the real bomber had eluded the FBI's grasp. Reporters who agreed not to discuss the case were allowed to interview Mr McVeigh in custody and found him relaxed and smiling, in studied contrast to his cold-eyed stare after his arrest.

The spinning went out of control, however, when a newspaper alleged that Mr McVeigh had given his defence team a confession for the blast on April 19, 1995. Mr Jones offered three explanations: it was a hoax; it was stolen; and it was intended to mislead another suspect.

Jeffrey Toobin, a lawyer and author who is attending the trial, writes in *The New Yorker* this week that Mr Jones's media strategy has backfired. Further, he says: "As the Government's proof has cascaded down on his client, Jones's options have dwindled. At times, the lawyer seems even to have lost his bearing in the courtroom."

Now, as the prosecution approaches the end of its compelling evidence, observers are wondering if Mr Jones has many shins in his locker for the defence. He is expected to attack mistakes at the FBI crime laboratory, but these are not thought to impinge seriously on the case.

Mr Jones tried hard to discredit Michael Fortier, the prosecution's most damaging witness and a former army friend of Mr McVeigh's. Mr Fortier stuck to his account of how the pair of them scouted the Alfred P. Murrah Federal Building where 168 died and how Mr McVeigh showed him an alley where he would park his getaway car after leaving a bomb-laden rental van outside the building.

**THE SUNDAY TIMES**

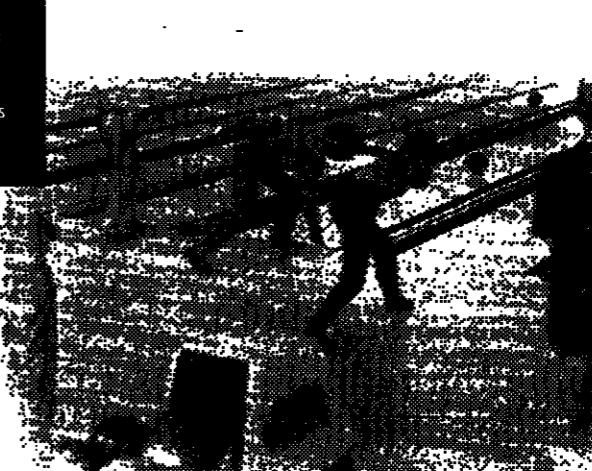
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# Rajiv Gandhi 'was key conspirator in weapons scandal'

FROM CHRISTOPHER THOMAS IN DELHI

**RAJIV GANDHI**, the former Indian Prime Minister assassinated in 1991, has been named as the main conspirator in a multimillion-pound corruption scandal surrounding the purchase of artillery guns from Bofors, the Swedish arms manufacturer.

This adds significance to the decision last week by Sonia Gandhi, his widow, to join the Congress party for the first time. One theory is that this could provide political protection if the Bofors affair becomes an explosive issue. Mrs Gandhi lives a secluded life, never speaking on the record to journalists and mixing almost exclusively with a small circle of trusted friends.

The Indian Express quoted anonymous, highly placed sources in the Cabinet secretariat as saying that the Central Bureau of Investigation had sent a "top-secret" Bofors document to the Government for clearance. Inder Kumar Gujral, the new Prime Minister, will decide whether to allow the bureau formally to name the accused and proceed with charges.

The Bofors deal, worth more than 14 billion rupees (£250 million at today's rates), was signed by the Gandhi Government in 1986. Bofors has admitted paying "commissions" and Gandhi's role in the affair has always been

suspected. It will further sully the name of the Gandhi family if it is confirmed as a conspirator. The corruption culture among Indian politicians became firmly established in the 1970s, when his mother, Indira Gandhi, was Prime Minister. She mounted the only concerted assault on Indian democracy by imposing a state of emergency and imprisoning political opponents.

The Express said the bureau report accuses Gandhi of hatching a conspiracy to cause "wilful loss to the state exchequer" and allowing middlemen to make money, including an Italian friend of the Italian-born Mrs Gandhi, who is a naturalised Indian. The bureau reportedly failed

to establish whether Gandhi personally enriched himself.

General K. Sundarji, the army chief at the time, has reportedly been cleared by the bureau of wrongdoing. He had often declared his preference for the French Sofma gun to Bofors weapons, before changing his mind. Once he stated his preference for Bofors, Gandhi pushed through the deal within 48 hours.

Police have charged Annette Sorensen, 30, and Xavier Wardlaw, 49, with "endangering the welfare and physical well-being" of 14-month-old Liv Sorensen-Wardlaw last Saturday.

A police car pulled up alongside the baby's pram and discovered her in full throat. Two officers went into the restaurant and arrested the parents, ignoring their argument that Liv could be seen clearly from the window. The couple spent two nights in detention.

The case appears to rest on "cultural factors". Ms Sorensen, arguing that she would "leave her baby out on a Danish pavement", has lambasted the police. But local opinion has criticised her for failing to tell the difference between New York and Copenhagen. The New York Post said the corner of Second Avenue in question was "about as kid-friendly as a shark tank".

But in Copenhagen, Danish radio broadcast a quote by Hillary Clinton who said during a visit there in 1995: "Oh, if we all could live in cities where we could leave our babies in baby carriages outdoors while we went into shops without any fear."

Gandhi pushed through arms deal in 48 hours

The crown is removed from one of Hong Kong's 800 postboxes by Lam Chi-wah, a contractor, to be replaced by a hummingbird logo for China's takeover on July 1. Boxes will be repainted green. The Queen's profile was taken off stamps this year.

## Baby has unhappy hour in New York

FROM TUNKU VARADARAJAN  
IN NEW YORK

A DANISH actress and her lover from Brooklyn are facing trial for leaving their baby in a pram outside a bistro in downtown New York while they guzzled margaritas.

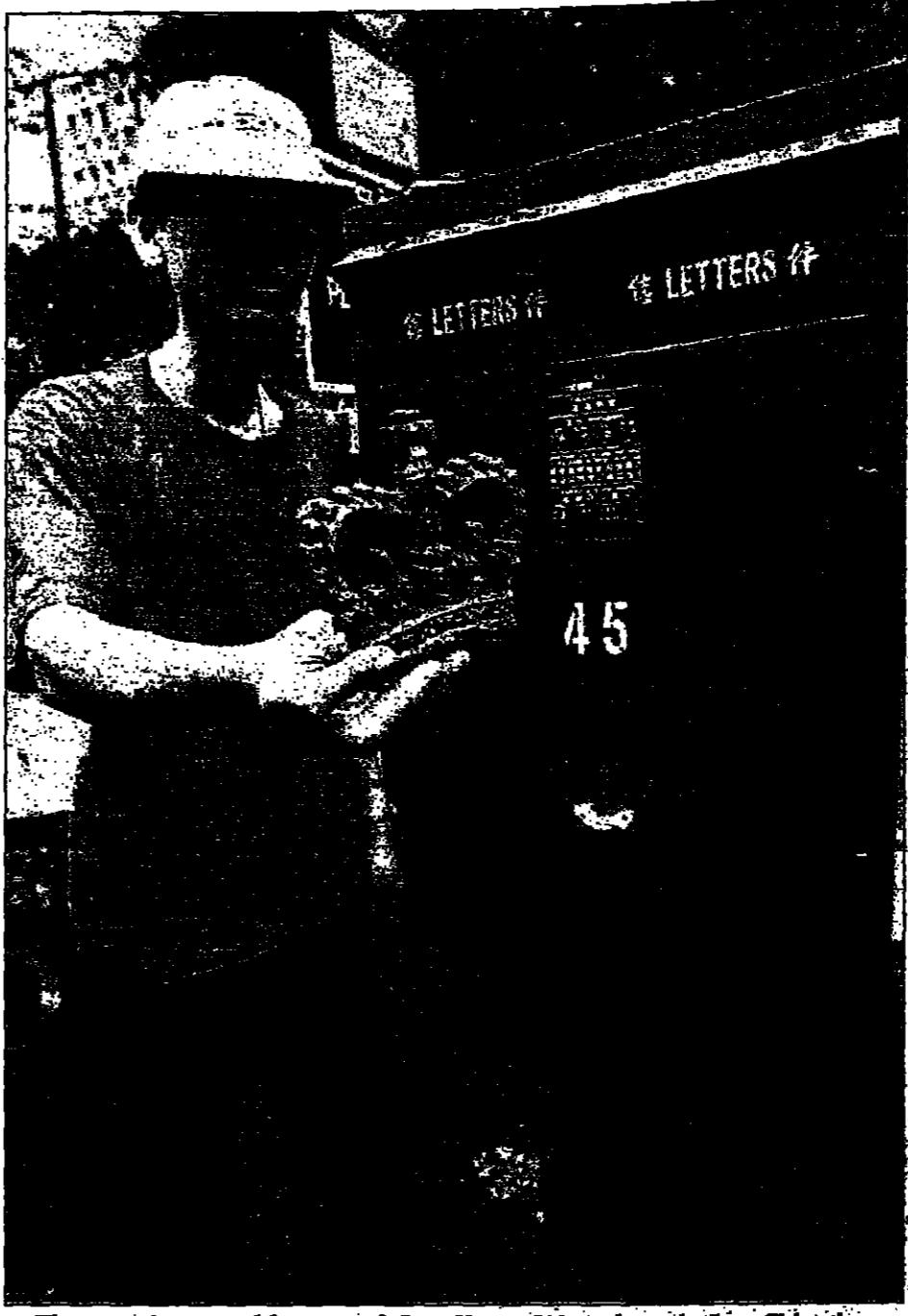
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## Japanese Emperor plans visit to Britain

FROM ROBERT WEINMANT  
IN TOKYO

**EMPEROR AKIHITO** hopes to visit Britain next year. It is 27 years since the last Japanese state visit, when his father, Hirohito, was given a very hostile reception.

Tokyo palace officials still recall with horror the demonstrations that greeted Hirohito in London and other European capitals. The then Emperor, who helped to plan Japan's strategy in the Second World War, made headlines because he had no apparent remorse for its war crimes.

The speeches he delivered were written by the Imperial Household Agency, which still takes the position that Japan fought a righteous war. They contained no apology. Emperor Akihito took the Chrysanthemum Throne in 1989. Japan hopes he will be welcomed in London, but some countries are said to be worried.

As the two governments get down to the details of the visit, former prisoners of war and their families will want to know if Akihito will apologise for the atrocities committed by his nation more than 50 years ago. The Emperor was born in 1933, so was too young to don military uniform, but the Imperial Family was directly involved in the war.

He occupies the throne today because the West, for political reasons, accepted his father's responsibility for waging aggressive war.



Gandhi pushed through arms deal in 48 hours

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## Turkmen ruler's statue to cast giant shadow over capital

FROM ROBIN LODGE  
IN MOSCOW

REPORTS from Ashkhabad, capital of the former Soviet Central Asian republic of Turkmenistan, say that the city is shortly to be adorned with a huge statue of its supreme ruler, Saparmurat Niyazov, to honour the man who has pledged to turn his country into a second Kuwait.

Reuter quoted local press reports as saying that plans had been announced to build a 240ft tower next to the recently completed presidential palace. The tower would be topped by a 40ft revolving statue of President Niyazov, 57, which, according to some reports, would be floodlit at night to allow the populace a 24-hour view of the man awarded the title Turkmenbashi, or leader of all Turkmen, by his enthusiastic parliament.

Local officials, however, were coy about the project yesterday. A presidential administration official professed to have no information about the plan. A similar response came from the deputy editor of the official news agency, Turk-



President Niyazov and the design for his huge statue

men Press. A woman answering the telephone at the Ashkhabad newsagency, *Nezvay Turkmenstan*, said she was aware of the proposal but could give no details.

But Grigori Kolodin of the Turkmen Embassy in Moscow, confirmed that there were plans for a statue which he said would be part of a huge memorial complex to celebrate Turkmenistan's independence, conferred by the United Nations in 1995. It would include a monument with galleries and cafes, a huge globe with Turkmenistan painted out in lights and a viewing gallery high over the city, above which the statue would stand.

But the project still requires President Niyazov to give his consent. Mr Kolodin said: "The possibility of Mr Niyazov withholding his consent appears remote. The Turkmenbashi's smiling features often hoarding all over Ashkhabad where no office is without his portrait."

## Guernica painting kept from Basques

FROM GILES TREMLETT  
IN MADRID

PICASSO'S vast and sombre depiction of the bombardment of Guernica has once more stirred political passions in Spain, as authorities in Madrid refused to lend the painting to the Basque country's new cultural jewel, the Guggenheim Museum in Bilbao.

The decision has outraged politicians in the northern Basque country. "There are political reasons behind this decision," the Mayor of Guernica, Eduardo Vallejo, of the moderate Basque Nationalist Party, said. "They have stopped the picture coming to the Basque country because it would be seen as a victory for Basque nationalism."

The transfer request coincides with this year's 60th anniversary of the bombing of Guernica by aircraft from Hitler's Condor Legion, which supported Franco's nationalist forces during the Spanish Civil War.

Curators at Madrid's Reina Sofia Museum said they refused the Guggenheim's request because of the fragile state of the 240-sq ft canvas. They did not believe the Guggenheim could ensure its safety.

*Guernica* has been moved 32 times since first being displayed at the Spanish Republic's pavilion in the Paris International Exhibition of 1937.

## Turks pour into Iraq to hit Kurdish rebels

FROM ANDREW FINCH IN ISTANBUL

TURKISH troops entered northern Iraq yesterday to attack Kurdish Workers' Party (PKK) guerrillas bases. The Anatolia news agency said jets bombed at least five mountain bases. However, the Foreign Ministry refused to confirm television reports that more than 50,000 soldiers backed by armoured and 250 tanks were involved, which would make the operation bigger than the invasions of Kuwait two years ago.

Yesterday's clash began at dawn, just hours before re-

sumption of peace talks in Ankara between the two main Kurdish factions, the Kurdistan Democratic Party of Massoud Barzani and the Patriotic Union of Kurdistan of Jalal Talabani. According to sources, the KDP representative did not demur from a Foreign Ministry announcement that the operation was at Mr Barzani's request. The KDP shares Ankara's wish to see the PKK ousted from its area. Turkish Kurds in the PKK use border bases for their own separatist campaign.

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British Embassy and US envoy's residence on list of alleged targets for besieged Mobutu troops

ERIC FEFERBERG / EPA

## Fear for foreigners in Kinshasa countdown

**FEARS** are growing that Kinshasa, the Zairean capital, could become a killing ground as rebel forces close in. Western intelligence reports say foreigners as well as Zairean politicians could be marked out by the beleaguered Zairean Army.

Documents shown to *The Times* name individuals and installations to be targeted. Among those marked for summary "execution" are members of the Cabinet of Kengo wa Dondo, the recently ousted Prime Minister, who is now in exile in Europe. On the list for destruction are government buildings, power and water installations, the American Ambassador's residence and the British Embassy.

Amid speculation that a rebel attack is about to be launched on the city, the Foreign Office has again advised British citizens to leave Kinshasa. On Tuesday, the US State Department advised American nationals to evacuate the capital without delay.

Western diplomats are taking seriously warnings from the Alliance of Democratic

Reports that Zaire's Army could embark on a killing spree in its final hours before defeat are being taken seriously by the West. David Orr writes from Kinshasa

Forces for the Liberation of Congo-Zaire that foreigners will be in the firing line. The alliance, which is poised to overthrow President Mobutu, controls three-quarters of the country.

The rebels have said there could be widespread bloodletting by the Zairean forces that have been driven back towards Kinshasa. While Britain and America insist they have no concrete evidence that foreigners are at risk, they are taking the threat seriously.

"In the light of increasing tension, we're re-emphasising our advice to our citizens," said a British Embassy spokesman yesterday as a "dead city" strike, called by the main opposition party, brought Kinshasa to a standstill. "We're aware of the threats made about the safety

of foreigners and we cannot discount that foreigners could be among those at risk, particularly if rioting and shooting break out."

It is feared that the Zairean military might target foreigners to provoke international intervention. Unless there is a last-minute diplomatic solution to the crisis, nothing short of outside intervention is likely to save the Mobutu regime. The cancer-stricken President has relied on foreign help in the past to stay in power. But now he has few friends, and even France, a traditional ally, has shown no appetite for military involvement.

The Mobutu regime is particularly critical of the United States, which it accuses of having sided with Laurent Kabila, the rebel leader. With

the British Embassy is the main assembly point for Britons in the event of an evacuation being ordered. British forces, stationed across the River Congo in the Congolese capital of Brazzaville, are on standby to evacuate some 1,700 British citizens and so-called entitled persons. The embassy compound would be secured by Royal Marines and other soldiers.



President Mobutu, left, is welcomed for peace talks by Congo's President Lissouba at Pointe Noir yesterday

## Swiss will consider request to freeze dictator's fortune

FROM SAM KILEY IN JOHANNESBURG

SWISS authorities were yesterday reviewing a request from Zaire's chief prosecutor to freeze billions of dollars allegedly siphoned by the ailing President Mobutu.

The request came as talks, described as the last chance for peace, were put off yesterday between Mr Mobutu and the rebel leader, Laurent Kabila. They are now scheduled to take place today.

In Geneva, the federal banking commission said it would widen a search for Mr Mobutu's missing billions after an informal inquiry showed there were no Swiss bank accounts held in the dictator's name.

Members of the Mobutu clan have told *The Times* that the family had been moving assets out of Switzerland. The sources said Mr Mobutu's eldest son by his first marriage, Manda Mobutu, flew to Geneva late last week to draw funds to pay Angolan rebels, mercenary groups and Zaireans to stage a counter-attack against Mr Kabila's forces, said yesterday to be 60 miles from the capital, Kinshasa. Mr Manda, who is the President's senior adviser, has been in charge of his father's fi-

nances for several years. Mr Mobutu's wealth is estimated to be at least \$4 billion (£2.5 billion), and possibly much more if the assets of his family are taken into account. Recent investigations have revealed that much of his wealth is invested in properties in Switzerland and France.

A Swiss Government statement said yesterday that President Koller had informed his Cabinet of the demand from the Zairean prosecutor. But Swiss officials were unclear whether the prosecutor was representing the collapsing Mobutu regime, or Mr Kabila's Alliance of Democratic Forces for the Liberation of Congo-Zaire, which now controls most of the vast country.

The peace talks are aimed at averting a rebel attack on Kinshasa. But as President Mandela and Mr Mobutu waited ashore in Congo's main port of Pointe-Noire, where the South African ice-breaker was docked, Mr Kabila was said to be in the Angolan enclave of Cabinda, south of Pointe-Noire. A rebel spokesman said they would only join the vessel after it was in international waters.

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**Dr Thomas Stuttaford** on the importance of taking regular meals; a new method of treatment for cystic fibrosis; the benefits of folic acid during pregnancy; Parkinson's disease and the sense of smell; and electrical pain relief

## Don't skip your lunch, minister

**I**t is reported that the Government's new ministers are running so fast now they have hit the ground. There will be no time for them to enjoy the established custom of a long luncheon. Any protests have been met with the suggestion that sandwiches eaten at their desks should provide quite enough energy to keep ministerial grey cells fuelled.

People, unlike wild dogs and even their domesticated cousins, need more than one meal a day. Any edict which encouraged politicians to emulate City workers, who too often skip breakfast and lunch but eat a heavy evening meal, might do irreparable damage to their health, in particular their cardiovascular systems. No prime minister, however large his party's majority, would welcome a regular review of government popularity through unnecessary by-elections. One of the secrets of avoiding heart disease is to range meals so that blood fat levels are never too high, and are cleared efficiently from the bloodstream.

Dr David Fraps, a physiologist working on diet and its relationship to heart disease and diabetes at the pathology department of Papworth Hospital near Cambridge, says: "The British custom of three main meals a day, reasonably high in carbohydrates and with some fat but not too much, together with enough protein to maintain the structure of the muscles and other essential

organs, is ideal. This established pattern of eating is changed at the consumer's peril."

This view reflects the standard medical opinion that although breakfast is an important meal, its constitution needs careful thought. "From a physiological point of view," Dr Fraps says, "it is a grave mistake not to have breakfast. Porridge, or cereals such as cornflakes with some milk, and toast with a little margarine or butter is ideal."

The rate at which the body produces insulin, and the sensitivity of its tissues to insulin, varies throughout the day, like other physiological functions. The digestive and metabolic systems are controlled by an inbuilt body clock.

In the early morning, insulin efficiency is low and too much carbohydrate, particularly the fructose found in sugar, honey and some fruits, may cause a release of very low-density lipoprotein fat from the liver into the bloodstream. Fructose will stimulate fat synthesis at any time of the day, but the large glass of fruit juice is probably best taken between meals. Insulin is not only needed for the metabolism of carbohydrates, but also has a role in triggering the action of lipoprotein lipase, an enzyme which helps to clear the bloodstream of triglycerides and other very low-density lipoproteins. These are the type of blood fats that are lethal if allowed to reach too high a level, or to flow for too long.

**'People, unlike dogs, need more than one meal a day'**



Balanced eating habits are the secret of efficiency at work. Missing a meal and wolfing too much are equally harmful

which predispose people to heart and kidney disease.

The human metabolism deals more efficiently with fats, particularly if breakfast has been eaten, as the day wears on. Dinner, however, should not be too late.

**E**xercise is important. Violent exercise immediately after eating interferes with the circulation, causing too great a proportion of the blood supply to be directed away from the digestive tract and heart to the muscles of the limbs. The heart may thereby be deprived of oxygen, and any tendency to coronary heart disease and angina will be uncovered. Digestion will also be rendered inefficient.

It has been known for many years that insulin production, and the sensitivity or resistance of tissues to it, are important

factors in the liability to develop heart disease. Genetic inheritance may be of great importance in this respect, but whatever someone's genes, they can do much to overcome their inherited constitution.

Three reasonably sized and spaced meals a day, with no long periods of fasting, is ideal. The regime should include a breakfast with a balanced carbohydrate/fat mixture, a standard school meal-type lunch, and a dinner which is not too heavy. A relatively low-fat cereal breakfast, emphasising cornflakes rather than bacon, reduces the girth of the waist.

After meals, a post-prandial nap is useful, and there should be a sensible intake of alcohol — red wine is the best.

Apart from reducing parliamentary vacancies to a minimum, this style of eating would provide some consolation for everyone, politician or constituent.

## Big F label reassures pregnant women

FOODS fortified with folic acid in future will be marketed with a distinctive capital F surrounded by a blue circle. This scheme is being introduced by the Health Education Authority.

A surprisingly large number of women who are intending to become pregnant are still not taking additional folic acid. Taken before conception and in the first three months of pregnancy, it helps to prevent abnormalities such as spina bifida and hydrocephalus as well as lesser defects such as hare lip and cleft palate.

The obvious reason why some women do not take folic acid is that their pregnancy was unplanned. Folic acid should be taken even before it is decided to dispense with contraception.

Taking folic acid tablets is the only method of guaranteeing some protection, but increasing folic acid in the diet — by taking food, including breakfast cereal and bread, that has been fortified with additional acid — could be a great help.

Women who could become pregnant, even if pregnancy is not specifically planned, should choose foods fortified with folic acid and marked with the capital F, eat plenty of green vegetables, and above all take folic acid tablets.

The advantages of additional folic acid will not be confined to women, as it also helps to protect the arteries against arteriosclerosis and hence heart disease.

## Symptom of Parkinson's

A new diagnostic sign of Parkinson's disease has been uncovered. Although the characteristic tremor, the slow shake which is at its most obvious when patients are at rest and not using their limbs, is the sign that is the diagnostic feature recognised by the general public, not all patients with Parkinson's disease initially suffer from it.

Most people are less aware of the rigidity of the joints, difficulty in starting any movement and the lack of facial expression that are also early indicators of

the condition. Research published in the *Journal of Neurology, Neurosurgery and Psychiatry* has shown there is another sign, just as common as the tremor, which is rarely commented on even in medical text books.

Patients with Parkinson's disease are as likely to have a loss of sense of smell as they are to have a shake. Examination reveals that the olfactory bulbs show typical Parkinson's-type changes.

Loss of sense of smell has a very destructive effect on the palate and would increase the liability of patients with Parkinson's disease to become depressed and lose their appetite.

**P**atients with all but the mildest forms of cystic fibrosis — the severity varies considerably — used to die in childhood or adolescence from chronic lung disease. Now the median age of survival is in the late 20s or early 30s and is still rising. Cystic fibrosis is now becoming an adult as well as a paediatric problem. The improved outlook is the result of early diagnosis and an aggressive, proactive approach to treatment to prevent lung damage, rather than merely hoping to correct it.

Better treatment is only possible because of a wider range of antibiotics, together with better methods of delivering them. The latest advance in treatment is to be presented to a conference of the European working group on cystic fibrosis in Davos, in June. Research workers are to introduce a new product, Tobi, Tobramycin for inhalation, which it is hoped will be launched in America later this year. If it passes British trials, it should be available here next year.

Tobi should further improve the outlook for patients with cystic fibrosis. Patients now have to make their own mixture of Tobramycin for inhalation by using a preparation of the antibiotic intended for injection. The preservatives, which are incorporated into the mixture in some cases,

induce a wheeze or bronchospasm, resulting in constriction of the bronchial tubes so that the antibiotics are prevented from reaching the infected lung tissue.

Tobi has been developed by

a pharmaceutical company in

conjunction with the American cystic fibrosis foundation and the University of Washington. The antibiotic is in a highly concentrated form, which is inhaled deep into the lungs by means of a nebuliser.

By applying it directly to the lung tissue a very much heavier dose can be delivered than if it was taken by any other route, as Tobramycin is toxic.

Although Tobramycin can

cause deafness and kidney damage neither complication has been reported with Tobi delivered by nebuliser.

The effect of the treatment

will be to prevent colonisation of the lung tissue with lethal organisms and thereby add years in the life of the patient.

This safe delivery system may also enable Tobramycin to be used in other conditions such as bronchiectasis, in which there are areas of chronically infected lung, and possibly against multiple drug-resistant tuberculosis.

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## New hope for cystic fibrosis

**C**ystic fibrosis is the most commonly inherited fatal disease and affects the exocrine glands of the lungs and the digestive tract. It results in the glands secreting into the bronchial tubes, and those within the pancreas, bowel ducts, salivary glands and intestine, producing a very sticky material which clogs up the passages, thereby causing obstruction and later recurrent infection. The secretions also obstruct the vas deferens in 98 per cent of men so that nature produces in these cases the type of infertile skin to that which follows a vasectomy. In women fertility is reduced, but not always lost, by the thickness of the cervical secretions. Obstruction to the

tubes leading to the lungs causes recurrent patches of lung collapse, infection and breakdown of the lung tissue.

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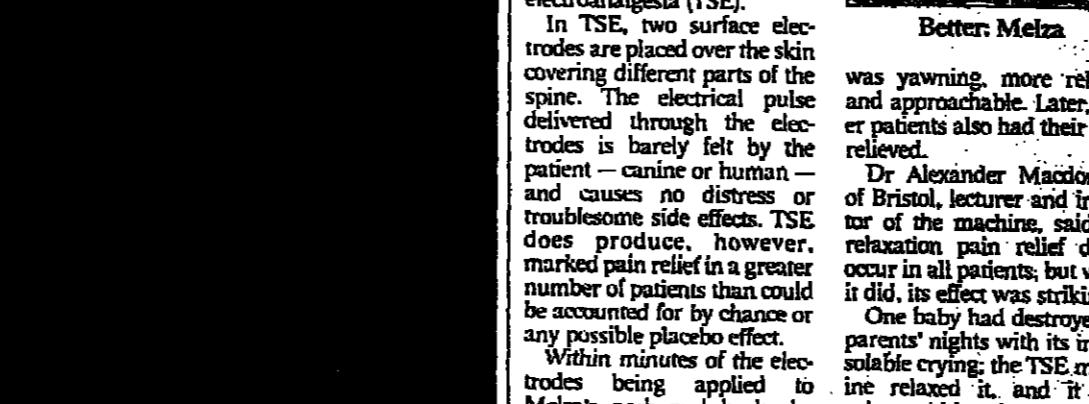
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## Stocks & Bonds



Better: Melza

was yawning, more relaxed and approachable. Later, other patients also had their pain relieved.

Dr Alexander Macdonald, of Bristol, lecturer and inventor of the machine, said the relaxation pain relief didn't occur in all patients, but when it did, its effect was striking.

One baby had destroyed its parents' nights with its inconsolable crying; the TSE machine relaxed it, and it was asleep within minutes.

## Stockings & Bondage

From equal partners in the workplace to virtual partners in cyberspace; from office politics to global profits — the business of sex... all weekend, 24-25 May, on EDN.

Television that makes sense of business.

Haliborange has always tasted great. Now, each high strength tablet makes a fizzy drink that holds as much Vitamin C as twenty freshly squeezed oranges. Helping you to stay fit and replace the Vitamin C lost through colds and flu. In either ruby orange or lemon, you'll find it's equally delicious. Enjoy.

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# 'You know how you meet someone and you just click'

He lent Peter Mandelson a car during the election campaign, and will lobby Tony Blair on drugs. Is James Palumbo new Labour's secret weapon? Interview by Mary Riddell

**J**AMES PALUMBO rang, in response to my fax, to say that he didn't do interviews. Well, hardly any. "I always end up sounding like a moron," he explained mournfully. This appeared to be such an overwhelmingly good reason for staying out of print that I was loath to argue.

But then he said very quickly that, actually, he would be terribly thrilled. How soon could we meet, he wondered? And did I know his new friend, Peter Mandelson? "You do? Oh, can you tell me some gossip about him?" I confessed to being wholly unversed in Mandelson gossip, but the inquisitorial tone of our meeting was already set.

Here we are, several days on, in Palumbo's London club, the Ministry of Sound, where he has prepared a dossier of further queries.

"Am I appraising myself by doing this? Am I putting myself up? Am I really that interesting?" Am I worth interviewing?

Impossible to tell, you feel like saying crossly, unless you calm down and answer some questions. But of course he is intriguing. For a start, he has created, from a derelict shoe warehouse behind London's Elephant and Castle, the most durability successful night-club in Britain, drug-free, seemingly impervious to the vagaries of fashion and centre-piece of a leisure business turning over £20 million a year.

Second, and rather more famously, he and his older sister, Annabella, took their father, the former Arts Council chairman, Lord Palumbo, to court, claiming that he was squandering their inheritance on wild extravagances. Two years have elapsed since the fund's trustees were changed, but the acrimony of the fiasco directed at James Palumbo lingers on.

He was, according to the PR campaign of the time, the ingrate son, a man so detested by his mother that she disowned him on her deathbed. Chad Varah, the founder of The Samaritans and the man who baptised Palumbo, reportedly branded him as diabolical and declined to christen his illegitimate child.

Although the demonisation of James Palumbo was ill-founded, the stigma remains. Once the apostrophe of the Eighties slick merchant banker ("I hated the City, the whole thing was just horrendous"), he now, aged 34, remains consumed by the desire to make money and to succeed.

Less predictably, he produced a string of anti-establishment advertisements as part of a campaign to mobilise Britain's youth vote for the election. An early

survey suggested that 400,000 more young people registered to vote, although he is diffident about his own part in inspiring them.

Besides, he is honest enough to admit that his crusade was a hybrid of ideology and marketing. "Yes, that's totally true. We thought it elevated us as a business. I wondered how you could tell if it had any results, but I'm less cynical now."

Palumbo himself has a stacking appetite for party politics. An admirer of Simon Hughes, the local Liberal Democrat MP, he released a top man from the Ministry of Sound to work at Conservative Central Office during the run-up to the election. His personal joy at Tony Blair's victory was in large part due to the seemingly mesmeric appeal of Peter Mandelson, to whom he loaned a chauffeur-driven silver Rover almost on first acquaintance.

"You know how you meet someone, and you just click. I really like him. I had dinner one night with him, and he had to go back to the Commons. He'd parked his car on the pavement, and I thought it was just absurd that someone like him should have to drive himself. It seemed mad; a bit dangerous, actually.

"I walked him back to his car, and I felt concerned for him. I thought it was something we should do to help." And does Mandelson get to keep the car? "I can't remember when the deal with the driver expires. Two months after the election, I think. Remember, this is just a Rover with a nice old guy to drive it. It's cheap."

It would be obvious to assume that Palumbo's new politics are one more kick against a father said to have lavished millions on the Conservatives, but his allegiance is more complex than that. Both the prodigal and the entrepreneur in him resonate with a creed of hard work and a payback for virtue.

His grandfather, Rudolph, was the son of Italian immigrants and the architect — through astute postwar property dealing — of a £150 million fortune he left in trust for his heirs. Wealth notwithstanding, Palumbo's childhood was marred by the quarrelling and eventual divorce of his father and his mother, Denia.

"There was a lot of shouting. That must have made a mark. It's something I've had to work out over the years. I do have a strong business drive and an abhorrent fear of poverty and not doing well."

After Eton, where he was disliked and bullied — he says for ending the "fagging" system — and Oxford, Palumbo broke off all links with his

## A two-fingered gesture of goodwill

way to achieve these goals is to ape Europe's passion for hand gestures. Not only will the shorthand of gestures cut out the waffle. In Cabinet meetings, they will also have the effect of making every street corner in Norwich feel like cosmopolitan Naples.

The reason Blair chose Banks to spearhead this important work was because Banks — being a hot-blooded, straight-to-the-point sort of fellow — is a man who knows that you can say more with

two fingers than with a thousand words. Winston Churchill knew it, too. And that is why Banks was crossing his fingers.

He was doing it in the superstitious hope that it might help him to keep his new job: "It's such a wonderful job that I can't believe my luck. I am a very superstitious person. I'm always crossing my fingers."

The gesture, devised by early Christians, comes from the belief that making the sign

of the cross will avoid bad luck. It has long since become a common way of seeking good fortune. Camelot chose it as the symbol of the National Lottery.

SOON we will all be making similar gestures at home, in the office, in the supermarket. As Banks gets into his stride, every British schoolchild will know that in France, a ring formed by joining the thumb and index finger means "worthless". They will see that

their fist, or by pounding an imaginary table. In Holland, if the person you are talking to starts sucking his thumb, he thinks you are lying. See how speedy and unfussy it is?

In Spain and Italy, by pulling down the eyelid with a forefinger, you can warn someone to be alert. So if you should spot Anna Wintour doing this when the Tory party is debating whether to choose Michael Howard as its next leader, you will know that the Blair and Banks revolution is already making its mark.

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mother who was said, wrongly, to have disowned him in her dying words.

"I was with her when she died. I was a difficult child, not compliant, but I was her favourite. We were both Gemini, both very similar." But his real sentiment is reserved for Alessandro, his six-year-old son, who lives with Palumbo's former girlfriend, Anna Harari, in Dubai.

"Everyone says their children are wonderful, and it sounds nauseating. But he is genuinely brilliant and smart." And a means, no doubt, for exorcising the failure of his relationship with his own father. "Yes, but I'd love him anyway."

Fatherhood apart, Palumbo has

proved to be more socially aware than the "flashy rich gits" he so despises. The drugs problem at the Ministry of Sound was, he says now, so intractable that he feared his clean-up campaign might end in his death.

"When I came to this business, with my bonuses and my nice City suits, I was completely naive. Just a joke. I found that every Friday and Saturday night, my door take was £40,000 and the security team was making £40,000 on Ecstasy.

"It happens everywhere in the UK leisure business. There are all these fat bastards running chains of discos and bowling alleys, and none of them admits it. It sounds dramatic, but I hired a psychoanalyst to help us to get the dealers out and cope with the threats. If they say: 'We're going to kill you,' you know what you're up against. But the threats [from the East End drug gangs] are much more sinister.

The word fed back that if the business is cut off, they will follow you home, go for your family, stab you or murder you." However real the threat to Palumbo's life, the London drugs business was so pervasive that he still buses in highly paid professional security teams from the north to stop any recurrence.

In addition, he sees his stance on drugs as a political mission, which he has already begun. "I helped to write the drugs Bill that went through Parliament several weeks ago. That gives the police fairly draconian powers to close down clubs, but we have to go a lot further."

Tony Blair is going to be really busy, but I shall argue with him, if I get the chance, that it's all very well for young people to be well educated, but you have also to look properly at the effects of drugs.

"I'm about to start a massive campaign in the industry. We know that door teams are still organising drugs, and I shall have to explain that to Peter or someone." Hence, suppose, the Mandelson car-offered party as a kind gesture but also perhaps (although Palumbo does not say so) as a rich man's play to put a marker down on his pet crusade. Not that he is at all sure how he will mesh with Labour. He would, for instance, like to find a girlfriend and have more children, but cannot endure the thought of marriage. "Tony is so strict," he says with anxious naivety. "So how will that fit in with new Labour?"

This query reminds him that I have had the lion's share of the questions. "How did I do?" he wonders. "What were my answers like? Too short? Too long?"

He refrains from asking whether he sounded, as he gloomily feared, like a moron. He had not. Just curiously juvenile in the way of someone still haunted by a damaged childhood. If money helped to create those problems, then money, he believes, is also the solution.

His above-the-line target is a niche in the international market and a trebled turnover. The real agenda, you feel, is to outshine a grandfather famous for building fortunes and a father allegedly more famous for spending them. Only then will he consider that, as with the Labour victory, diligence and virtue have produced suitable dividends.

© This article is abridged from an interview in the current issue of the New Statesman



James Palumbo: "When I came to this business, with my bonuses and my nice City suits, I was completely naive"

LIKE Socrates, Copernicus and Galileo before him, Tony Banks has been easily misunderstood. Tony Blair's new Minister for Sport wasn't making mock when he crossed his fingers in the Commons this week to swear allegiance to the Crown.

What he was doing — maybe, on reflection, too discreetly — was promoting Tony Blair's new mission to rid politics of long-winded speeches and pomp, while at the same time nudging Britain back into the bosom of the European Union.

It came about like this: Mr Blair has decided that one

family to begin his successful City career. He was already established as a ruthlessly efficient businessman when he chose to tackle his father over the management of the family trust. Lord Palumbo, by then remarried to a Lebanese divorcee and father to three children by his second marriage, was publicly accused of extravagance and mismanagement. A list of his spending, produced by James's lawyers, included £13 million on works of art, £2.5 million on vintage wine and £4.5 million on two Corbusier homes in Paris.

New trustees were ultimately appointed, and James Palumbo was forbidden by court order ever to speak of the case. But why, you wonder, had he ever

brought it, given his pride in making his own fortune rather than leeching off family wealth? "I've always liked charging the guns. I felt it was the right thing to do." Nor that he ever yearned for a father who would bestow on him either money or privilege. "I'm really pleased that I wasn't disadvantaged by someone who said: 'We'll sort out your career for you, look after you, buy you a house in the country.'"

He has not spoken to Lord Palumbo since the case finished, and — although he claims not to hate him — the chilly contempt he retains for him and his forceful stepmother seems almost more damning. By contrast, he adored

his mother who was said, wrongly, to have disowned him in her dying words.

"I was with her when she died. I was a difficult child, not compliant, but I was her favourite. We were both Gemini, both very similar." But his real sentiment is reserved for Alessandro, his six-year-old son, who lives with Palumbo's former girlfriend, Anna Harari, in Dubai.

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In Spain and Italy, by pulling down the eyelid with a forefinger, you can warn someone to be alert. So if you should spot Anna Wintour doing this when the Tory party is debating whether to choose Michael Howard as its next leader, you will know that the Blair and Banks revolution is already making its mark.

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In Spain and Italy, by pulling down the

# Twilight of our elective dictatorship

**Anthony Lester hails a first step towards a British Bill of Rights**

The new Government has inherited the most unbridled political system of any modern democracy. With its huge majority, it has a giant's strength. The Cabinet and the governing party can control the elected chamber. We have no written constitution limiting the powers of government and no fundamental law protecting the rights of the individual citizen against the misuse of the powers of the State.

The British system is also the most centralised in Europe — our capital city deprived of an elected authority, Scotland, Wales and the English regions ruled by Whitehall and the new magistracy of unelected quangos. Local government, civic virtue and public service have been undermined by worship at the altar of market forces. This is the system shaped and defended by the Conservatives for 18 years, aptly described by Lord Hailsham as the "elective dictatorship".

I was a member of the Joint Committee that reached an historic agreement between the Labour and Liberal Democrat parties to co-operate in seeking to renew the British political system. We found common ground,

There is glasnost along the corridors of power

published our proposals, and included them in our manifestos. We were given widespread popular support across the country in the general election on constitutional issues that were strongly contested by a Tory party of Little Englanders. It is greatly to the credit of Tony Blair and his colleagues that immediately on winning office they seek to limit their inherited powers by securing the European Convention on Human Rights in UK law. They demonstrate a welcome commitment to plural democracy and accountable government, as well as to administrative efficiency. There is glasnost along the corridors of power.

The rights guaranteed by the Convention are part of our birthright and constitutional heritage. The Text of the Convention was drafted by British lawyers. It has been exported by British governments to become part of the written constitutions of many Commonwealth countries.

What is envisaged involves no challenge to the traditional dogma of parliamentary sovereignty. The Government's measure is likely to be similar to my Human Rights Bill, given an unopposed second reading in the Lords in February. Taking a leaf from the New Zealand Bill of Rights Act 1990, it will require our courts to give a meaning to statutes that is consistent with Convention rights. Its enactment will involve the exercise of parliamentary sovereignty, not its diminution. The new Act will not be entrenched against amendment or repeal by a future Parliament, nor will it authorise a government of unelected judges. The courts will treat the Act as a fundamental law having special constitutional status unless and until Parliament rules to the contrary.

Ministers, civil servants and

other public authorities will be required by law to discharge the powers delegated by Parliament in a manner that respects human rights — for example, the power to censor broadcasting, or to place a wiretap in our homes, to blight our property, or to invade our personal privacy.

The courts will have a mandate to balance the competing aspects of the public interest where human rights are at stake, and to provide speedy and effective remedies. British case law will enrich the uncertain jurisprudence of the grossly overburdened European Court of Human Rights.

The new law will replace ethical aimlessness with a code guiding the work of all three branches of government, promoting an open society and a modern democracy. When introducing Bills into Parliament, ministers will be required to explain why any provision is, or appears to be, inconsistent with ECHR rights.

The role of Parliament will also be enhanced by the creation of a Joint Select Committee to scrutinise pending measures in the light of ECHR rights, and advise Parliament about compliance with the UK's obligations under the international human rights framework.

One key commitment is to establish a Human Rights Commission to provide well-targeted and cost-effective advice and assistance to law centres, Citizens Advice Bureaux, and others in bringing human rights cases. It will improve access to justice at minimal cost. It will also enable the Home Secretary to rationalise the plethora of existing commissions, tackling gender, racial, religious and disability discrimination. The time is ripe to strengthen law enforcement and reduce wasteful duplication, bringing the expertise of these agencies under the umbrella of a Human Rights and Equal Opportunities Commission.

Incorporating the Convention is a necessary condition for other constitutional reforms, including the sharing of power with a Scottish parliament, a Welsh assembly, and English regional assemblies. Incorporation is the crucial first step towards a more comprehensive British Bill of Rights.

The new Parliament will have the opportunity to implement an ambitious programme of constitutional reforms, including a Freedom of Information Act, the reform of both Houses, and the introduction of an electoral system that more fairly represents the wishes of the voters in European, national, regional and local elections. If they are to endure, these reforms must be in line with British traditions and based on a wide popular consensus. I hope and believe that Tony Blair's Government will maintain the momentum, and will have the necessary political will and skill, a combination of principle and common sense.

Lord Lester of Herne Hill QC is a constitutional and human rights lawyer. He takes the Liberal Democrat whip in the Lords.



"TONY, I'M WONDERING IF THIS ISN'T SOMETHING OF AN OWN GOAL..."

## Exhausted volcanoes

A caretaker would give dejected Tories time to find a leader worthy of Blair

Their first fortnight out of office has been a disaster for the Conservatives. John Major has resigned, but is still technically leader of the party. He probably thought that the surviving Members of Parliament would move rapidly to elect Michael Heseltine as his successor, but Mr Heseltine's illness made him withdraw. The six "not him" candidates were left, and they are getting "noser" by the day.

The surviving Tory MPs, who in any case are an absurdly unrepresentative constituency, do not want Kenneth Clarke because he is in favour of the euro. William Hague because he is too young and too Majorish. Peter Lilley because they think he lacks charisma. Stephen Dorrell because he is not as charismatic as Mr Lilley. Michael Howard because they believe everything that Ann Widdecombe has said even if they do not think she should have said it. John Redwood, because he was the Cassandra of the party, and correctly warned of the fall of the Tories. There is now every possibility that a rump electorate, in a state of shock, will choose a leader in whom they have no confidence.

Whoever becomes leader, the statistical probability is that Labour will win the next election. In recent British political history, the cycle of disillusionment has normally been a two-term one. Since the Second World War there have been six second-term elections; the incumbent Government has won five of them, four by an increased majority. Ted Heath's defeat in 1974, during the miners' strike, was the only exception. Tony Blair has the largest majority since 1931 and has dropped the unpopularity of socialism and high personal taxation. He is a very good campaigner. Whatever the Conservatives do, he will probably win the next election.

Many Conservative Members of Parliament see this only too clearly. They do not want to commit themselves to a leader who would not be able to challenge Tony Blair. They doubt whether any of the present candidates could unite the party, and they fear that an unsuccessful leader might himself be subject to a mid-term challenge. They do not want to elect the Conservative equivalent of Neil Kinnock. They are also conscious of the inadequacy of their position. No representative of Scotland, no representative of Wales,

none from most of the big cities outside London, none from some of the English regions — it is not an adequate electorate.

They also find it hard to choose a new leader when they do not know what policy the Conservative Party will wish to support. How Eurosceptic is the Tory party? How Eurosceptic are the potential leaders?

They all voted for Maastricht and against a Maastricht referendum, even John Redwood. William Hague is against the single currency, but he has the disturbing support of Tristram Gare-Jones. Tristram's support is a gift to William's opponents.

No doubt the MPs do trust John Redwood's Euroscepticism, but few of them think that he has the personal appeal to be electable as Prime Minister.

In any case, they wonder whether Europe will be the same issue in five years' time. Even this month's French elections could change the whole future pattern of European events.

Not surprisingly, there is a growing number arguing for delay. Their case is a strong one. They are not satisfied that any of the present candidates will be adequate to fight the next election. They do not think that so small a surviving group of Conservative members is entitled to elect the leader. They want at least some exploration of policy. They would also like to see the leadership candidates performing in opposition.

There is also the question of the missing candidate. On the morning of polling day, Peter Lilley, who seems to be emerging as the strongest candidate of the Right, was not contemplating the idea of standing himself. He was probably expecting to become Michael Portillo's equivalent of Gordon Brown, the shadow Chancellor, ally and senior policy maker rather than the leader. Even now, I do not suppose that Mr Lilley thinks that he has Mr Portillo's breadth of leadership gifts.

A Portillo-Lilley team might well have won the leadership battle for the Right, but the electors of Enfield have decided otherwise. The other missing

candidate is Chris Patten. Many people regard him as the only Tory leader who could win back the Centre, who has a chance of beating Tony Blair at the next election. He is certainly the only contender with personal experience of the revolution in Asia which has transformed the world economy. He even has a unique credential for dealing with Europe.

In Hong Kong, whether his policy was right or wrong, he has the stature and courage to stand up to China. He is a real Democrat. A man who can stand up to China can also stand up for British interests in Europe.

If Michael Portillo is the big man of the Right, Chris Patten is the big man of the Centre. Neither is in this Parliament. There were originally four potential

candidates of prime ministerial stature, Fieselene Portillo, Clarke and Patten. Mr Heseltine has been eliminated by his illness. Mr Portillo by losing his seat; Mr Clarke by his policy on the euro and Mr Patten because he has to serve another six weeks in Hong Kong. As a result, none of them will become leader if the "sprit" procedure is followed. The "spirit" candidates are also men but they belong to the B team.

There are two questions to be asked. Is it possible to arrange a delay — which some Members believe should last till next year — to give the Conservatives time to get their decisions right? What ought the electorate to be?

The present leader, John Major, and the 1922 Committee, when the executive has been elected, have full constitutional powers to decide the form and timing of the leadership election.

Even in the old days of the magic circle, the leader was nominally elected by Conservative Members of Parliament. Conservative candidates and Conservative peers. In 1957, as the candidate for Chester-le-Street, I attended the election of Harold Macmillan in Church House, Westminster, and abstained from voting for him because of his conduct over

Suez. The nominal electorate in the 1950s was wider than it is now.

There might well be a need for an interim leader. John Major could be asked to go on for a fixed time until the election arrangements had been made. He still has great goodwill in the party, but he is unlikely to be willing to do it this last service. It would also be possible to have an acting leader to do what needs to be done in the next six to 12 months.

John MacGregor, who is talked of as the next Chairman of the 1922 Committee, was an excellent and fair-minded Leader of the House. He would do this interim job very well.

There are also other experienced former Cabinet Ministers. The first year of a landslide Parliament is not a time of opportunity for aggressive opposition; an impartial senior figure may be what the party needs.

In constitutional terms, the "Tory party" ought to democratise itself. The leader should be directly elected by the whole membership of the party. "One man, one vote" is a better principle than "one MP, one vote". One man is a Democrat. One man is an oligarch.

In practical political terms, the half dozen constitutional Bills, on devolution in Scotland and Wales, incorporation of the European Convention on Human Rights into British law and a referendum on a directly elected strategic authority and mayor for London. Labour's record Commons majority has removed the obstacles that might have existed in the passage of these Bills.

The feeble response by Tory back-benchers to Mr Blair's speech in the Commons showed how demoralised and disengaged they still are.

The absence in this Queen's Speech of the promised Bill to remove the voting rights of hereditary peers is being used by ministers as a warning to the Lords in observe the so-called Salisbury convention and not to obstruct the principle of proposals included in the Labour manifesto. In the short term, the biggest changes could be in the working of the House of Commons itself through the wide-ranging review of procedure and the handing of Bills promised yesterday by Ann Taylor, the Leader of the Commons.

Otherwise, the Queen's Speech is longer on long-term promises than specific proposals. The most interesting feature of Mr Blair's campaigning speech yesterday was his comment that "we have reached the limit of the public's willingness simply to fund an unreformed welfare system through ever-higher taxes and spending". Frank Field has become the pivotal minister in the Government in his search for welfare reforms for the long term, including pensions.

The first real sign of the Government's ability to make a difference will come in the Budget in a few weeks with the promised windfall levy on the oilines and the youth unemployment package. Gordon Brown has shown boldness in his decision on transferring responsibility for interest rates to the Bank of England and there are already hints of more radical proposals.

The Government's fate will be determined less by yesterday's array of new Bills than by its ability to face these dilemmas. First, ministers will have to find more money for health and education without departmental cutbacks for the next two years, inherited from the Tories. This will involve both a reordering of spending within departments "to meet the priorities of investment, employment and opportunity", and an immediate examination of the allocation of spending between departments. That could turn into the key battle of the administration.

Secondly, the Government will have to show that its job-creation measures are not offset by job-destroying proposals such as the minimum wage or new regulations associated with the social chapter. Mr Blair is on the side of promoting competitiveness — as signified by his appointment of Sir David Simon of BT as minister for the single market — but there will be strong pressures in the other direction. Thirdly, the Government has to show how it can reconcile and overcome a sceptical public mood over Europe and take a leading role in the EU. The key here will be its attitude to monetary union.

Tony Blair clearly relishes power. He talked yesterday about the sense of release after all the years in opposition, of being able to take decisions at last. He sees the Queen's Speech as a first instalment of showing that Labour can be both trusted and radical. The Government has made a strong start. But the politics of celebration and gesture is coming to an end. Awkward and painful decisions will soon have to be taken.

## Grand gesture

STRANGE calls have been going out from Downing Street for a piano. At Chappell, the music shop in Bond Street, they were telephoned earlier this week by one of Tony Blair's men asking for one to be delivered to the Prime Minister's residence. Not since Sir Edward Heath's tenancy has there been a piano permanently based at No 10.

There was something peculiar about the request, however. When



Heath's piano leaves No 10

Chappell asked whether they were being asked to loan the piano free of charge or whether they would be paid, there was some hesitation at the other end. That was up to Chappell, said the caller, but they might care to bear in mind the free publicity they would receive from one of their trucks arriving in Downing Street. One problem, replied Chappell, their trucks did not bear their name, for obvious security reasons. They declined the offer to supply the instrument.

In the years since Heath, Steinway has provided pianos when required for one-off musical evenings. That company has not yet been approached.

Images of the Blairs and their friends standing round the piano to sing *The Red Flag*, or Peter Mandelson's favourites from *Cabaret*, must, sadly, be put aside. According to Downing Street, the pianist in residence is Euan Blair, the PM's 13-year-old son.

Lobbyists looking for an entrance into Blair's Forbidden City might be interested in a property just put up for sale in Trimdon, Co Durham. The small terraced house costs a mere £8,750, less

### Peter's friends

LADY Thatcher's intervention in the Tory leadership campaign cannot be far away now. Among her inner circle, the choice seems to be Peter Lilley. The PR merchant Sir Tim Bell has already come out for him, now his press secretary, the toweringly coiffed Elizabeth Buxton, has signed up, too.

Last, Angie Bray, who left her

### Rubber bullet

INSECURITY is plaguing Roger Law, co-creator of *Splitting Image*. He has accused the Queen of pique at her *Splitting Image* puppet. Earlier this year, the Royal Mail asked Law to submit stamp designs to commemorate the centenary of Bram Stoker's *Dracula*. The images, which must be approved by the Queen, were rejected without explanation.

Another set of designs featuring the comedian Tommy Cooper which he was asked to submit were

also thrown out. The Royal Mail dismisses talk of a conspiracy. Law, however, is insistent: "The Queen made it clear to a friend of mine from the Royal Academy who had dinner with her recently that she did not like her puppet at all. You think maybe it's just bad luck, but when the Tommy Cooper ones were knocked back as well, I began to think there was a link."

● Harold Pinter's moment of European glory has been saluted by the French press. At the Théâtre des Champs-Elysées on Monday evening, Pinter was presented with the highly prized Molière statuette in recognition of his work as a playwright. But the French newspaper *Le Figaro* said yesterday that Pinter lacked eloquence when he acknowledged the award, under a headline which read "Nobody is perfect".

### Ice mess

THERE is concern for the health of the orchestra playing in the Disney musical *Beauty and the Beast* which opened in London on Tuesday. On several occasions during the premiere, the players in the pit disappeared under the dry ice following from the stage. "It can be a real problem," said a croaky Jee Alexander, the conductor. "I stand

with my head level with the stage and when the dry ice flows off the edge I can't see a thing. Sometimes it's difficult to breathe."

The problem is one of temperature, my physicist friends tell me. The more people in the theatre, the warmer it gets and the more the dry ice expands. Not that this is of any consolation to the woodwind.

Unstuck Roger Law  
with my head level with the stage and when the dry ice flows off the edge I can't see a thing. Sometimes it's difficult to breathe.  
Tony Blair clearly relishes power. He talked yesterday about the sense of release after all the years in opposition, of being able to take decisions at last. He sees the Queen's Speech as a first instalment of showing that Labour can be both trusted and radical. The Government has made a strong start. But the politics of celebration and gesture is coming to an end. Awkward and painful decisions will soon have to be taken.

P.H.S

**In power, not just in office**  
Peter Riddell on a Queen's Speech for a second term

The Queen's Speech was unusually long, but one crucial sentence was missing: "All these measures are intended to secure the re-election of my Government at the end of this Parliament." The underlying strategy is to show that Labour can be trusted in office that it can help improve ordinary people's lives and that it should be re-elected to a second term. That explains both the desire for centralised Downing Street direction of strategy and Tony Blair's constant refrain: "We were elected as new Labour, we intend to govern as new Labour."

In this respect, the Queen's Speech is in fashionable jargon, the mission statement of "new" Labour. The balance of measures is very different from the opening Queen's Speeches of the three previous Labour governments since 1945. There are no proposals for big extensions to the public sector or to trade union rights. Apart from the national minimum wage, there is no mention of union legislation. There are more measures to help business.

A striking feature is how much the Blair Government has accepted the economic and industrial framework created by the Tories since 1979. Few Bills are aimed at reversing recent policies, notably those on ending the internal market in the NHS and the assisted places scheme. Many other Bills — on education, crime, the private finance initiative in the NHS, data protection and competition — could have come from Tory ministers. In many ways, David Blunkett on schools and Jack Straw on young offenders have outlanked the Tories on their own ground.

The most radical proposals are the half dozen constitutional Bills, on devolution in Scotland and Wales, incorporation of the European Convention on Human Rights into British law and a referendum on a directly elected strategic authority and mayor for London. Labour's record Commons majority has removed the obstacles that might have existed in the passage of these Bills.

In practical political terms, the Conservative Party should use the next year to revive the membership, re-serve public interest, to debate the issues which were difficult to debate in government, and to elect a leader with authority. There is no authority equal to that of a majority in a nationwide contest. In any case, the Conservative Party must represent the whole United Kingdom, but all of its present Members of Parliament are drawn from England.

In constitutional terms, the Conservative Party should use the next year to revive the membership, re-serve public interest, to debate the issues which were difficult to debate in government, and to elect a leader with authority. There is no authority equal to that of a majority in a nationwide contest. In any case, the Conservative Party must represent the whole United Kingdom, but all of its present Members of Parliament are drawn from England.

In power  
not just  
in office  
Peter Riddell  
Queen's Speech  
and speech

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## THE QUEEN'S BUSINESS

Labour proposes and the Tories wonder how to oppose

Even a fortnight on, it takes time for a parliamentary observer to become accustomed to the new dispensation. There was John Major asking questions instead of answering them. There was a leader of the Tory Party complaining that, under the new regime, monetary policy would be too rigorous. The sense of novelty was compounded by the mass of measures coming from the benches to the Speaker's right that would have been unthinkable under the previous administration.

Some of these, such as incorporation of the European Convention on Human Rights or devolution of power, are not inconsistent with Conservative policy; indeed Tories have argued for them in the past. But they were policies vigorously opposed by two successive Prime Ministers and had no chance until now of becoming law. Others, such as the phasing out assisted places or the banning of tobacco advertisements, are wholly un-Conservative. In both cases, there is a sense that the direction of the country has changed, confounding those who argued during the election campaign that the result would make no difference.

The constitutional reforms proposed will bring sweeping changes to the governance of Britain — its nations, regions and capital — as well as giving more power to the citizen against the State. A Freedom of Information Act, which we hope will follow this session's White Paper, should add to the protection of the individual against government excess.

It is not just the content of the legislation that makes this Government quite different from the last. Mr Blair's massive majority means that the new laws are certain to pass, without his having constantly to trim or back down at the whim of recalcitrant backbenchers. After 18 years out of office, Labour ministers are fresher than their predecessors. Already Whitehall has been jolted by the speed and authority with which decisions

have been taken. If anything, Mr Blair now needs to slow down and consult more particularly on reforms to the Commons itself.

The new Government's proposals to improve the scrutiny of Bills will be a useful bulwark against the temptations of an elective dictatorship. Some Bills will be published in draft form, allowing for amendments after consultation. The roll-over of unfinished Bills into the succeeding session will save Parliament's time and energy. We have yet to see the proposals to "strengthen the role of MPs to make the Government answerable for their actions": if these are more than cosmetic, they will be welcome.

So will Mr Major's suggestion that his opposition will, where possible, be constructive. He cannot, of course, bind his successor, but the parliamentary arithmetic is such that the Conservatives can hope only to improve, not block, legislation. Mr Major's undertaking to "welcome adventurous welfare reform", matching Mr Blair's evident intention to undertake such reform, may pave the way for some of the most significant government actions of this Parliament.

At the dispatch box, the new Prime Minister was as confident as his opponent was dignified and effective. But the Conservatives are still not sure whether to criticise Labour for stealing their policies or for proposing laws that are dangerous.

To the former, Mr Blair can argue that the Tories failed to enact those policies despite 18 years in government. To the latter, the Prime Minister will soon have the chance to offer concrete evidence. His programme addresses the main areas of public concern — education, health, law and order, the underclass and devolution. Some of the solutions, however, may well prove to be flawed. By the end of this Parliament, Tories and Labour will no longer be arguing about conjecture. There will be facts to support or undermine their cases.

## THE END OF ONE ALLIANCE

And the beginning of a difficult new era in European security

The deal setting out a special relationship between Nato and Russia reached yesterday has the potential to lessen the strategic risk accompanying Nato enlargement to Central Europe. This, however, is at some cost to Nato's cohesiveness as a military alliance.

This cost must be born as the price of an ill-judged decision. The alternative, a fearful Russia determined to reverse what it perceives as humiliation by the West, could inflict still graver damage to the Continent's security. Against a background of deep domestic hostility to a development that Russia is powerless to prevent Yevgeni Primakov, the Russian Foreign minister, has made the best of a bad job. Were it not that Javier Solana, the Nato Secretary-General, persists in believing that enlargement will lead the West into sunny upland pastures, he would deserve similar credit for a tough negotiation.

The detail matters less than Nato's formal acknowledgement that Russia must be engaged in the management of European security. This is an important shift in the direction of making Nato not just a military alliance but a system of collective security. Whether it can be both and keep its military teeth sharp remains to be seen; but as we have argued, enlargement was in any case bound not only to lessen Nato's military readiness in the short term, but to dilute Nato's credibility as a deterrent force. Enlargement is a political leap of faith, not the product of hardheaded military calculus.

The Nato Russia Act, scheduled for signature in Paris on May 27, will give Russia full consultation rights with Nato through a Nato Russia Council which will hold regular meetings and be backed by its own organisation. Washington calls this "a voice not a veto", allowing for the maximum possible consultation and joint decision-taking. President Yeltsin can and will present this as a deal establishing consensus between Nato and Russia on all important security issues.

one that admits, in Mr Primakov's words, that "there should be one security for all".

That is not strictly true. The defence of Alliance territory will continue to be a matter for the Nato Council. But the Nato machine will be more open than it is now. In discussing policy and doctrine, some of the cardinals that comes from confidence in tight security may be lost. But the deal also imposes obligations on Russia. Just as Nato will tell Russia of any major redeployments, so Russia is required to do the same.

The deal is not, as Russia wanted, in treaty form; as the Russians well understand, the Nato Russia Act is not even legally binding. In substance as well as form, Moscow obtained far less than it wanted with regard to Nato enlargement. On the positioning of nuclear weapons and the deployment of substantial Nato forces in the new member states, Nato has refused the guarantees Russia sought, offering only its "no intention, no plan, no reason" formula. The text will, however, contain a Nato undertaking that the infrastructure in these countries will reflect this formula: airfields will be adapted for rapid deployment, military equipment standardised and forces integrated into the Nato command structure, but there will be no construction of large military bases.

The hardest job is yet to come. Poland, the Czech Republic and Hungary, the countries most likely to join Nato in 1999, must be told at the Madrid summit in July that that so far from membership freeing them from thinking about Russia, they must be especially active in building bridges to Moscow. Mr Yeltsin needs more than a piece of paper to convince Russians that Nato has not stabbed them in the back. Confidence-building will be the work of a generation. It must now be made to succeed; for at the end of that period, historians may cite yesterday as the date when the West unintentionally began to dismantle the North Atlantic Alliance.

## DUCA E DONNA

Covent Garden stages its own plot of rivalry and revenge

Scene: a building site in Bow Street. Giant cranes labelled "Royal Opera House" fly overhead. Enter stage right a chorus of sycophantic courtiers in evening dress and opera cloaks, singing softly *Zitti, zitti, noviamo a privilegio!* "Cover up, cover up, that's the refrain." While our cosy cultural perks we seek to maintain! Enter stage left a chorus of militant stage-hands in overalls. They sing the union chorus: *Che del lavoratore i giorni abbella?* "What makes the worker's life with pleasure abounding?!" Overtime and touring allowances astounding.

Il Duca di Chardin (tenor) sings his "fickle" aria *Questa o quella per me pari sono* "This one or that one, Genia or Mary Allen: I find one woman as charmingly executive as the next and hate the thought of constancy." He is accompanied by his court assassin, Sparafucile Cooper (bass), with his, let me tell you, *Lei e licenziate* "You're fired. Due to ill health. You'd better believe it. And if you want your severance payment, don't talk to the press." Isaacetto, his court jester, sings: *Deh non parlate al misero*, "Speak not of one for whose loss to us, / All ENO as substitute never surfaces." For Genista wanted to take opera to the people! And at the same time cut ticket prices." *Cortigiani, vil nazzata dannata*: "Vile courtiers and opera toffs, having been awarded all those millions of

National Lottery money for your redevelopment, surely you can no longer run Britain's most highly subsidised culture-palace as a posh private club for corporate hospitality?"

Sparafucile stabs Genista McIntosh in the back and puts her in a sack, *Per malattia*. "Due to ill-health". She sings, "Covent Garden shall remain a national flagship of excellence. But it must discover some sort of social relevance in this day and age." Mary Allen (mezzo-soprano), Genista's rival and replacement, sings the beautiful aria *Caro nome che il mio cor*, "How dear the name of ROH, how entrancing its operas, how delightful its ballets, even Freudian *Anastasia* (and historical characters rarely work in ballet), but how awful its administration, how snobbish its public relations, how old Labour the management of its human resources." The Duke sings *La donna è mobile*, "How fickle women are, fleeting as falling star." Changing for ever. Constant, ah never! But may Lady Vivien ne'er abandon us, to take her millions elsewhere."

There will now be a short interval of two-and-a-half, or it may be five years. After that there might be a surprise finale if the present cast showed any sign of being able to run a professional opera house as easily as they can arrange a royal gala performance or a fracas in a crush bar.

Letters to the Editor should carry a daytime telephone number. They may be sent to a fax number — 0171-782 5046.

## LETTERS TO THE EDITOR

1 Pennington Street, London E1 9XN Telephone 0171-782 5000

### Slow to deal with legal complaints

From Mr Arnold Rosen

Sir, Mr H. P. K. Bradley (letter, May 9) is only the latest in a long line of critics of the Law Society and the way its council supervises the conduct of solicitors.

Over the last decade the profession has poured well over £60 million into policing the profession, yet the council has the same number of members as it had in 1939. My experience (representing both members of the public as well as solicitors in disciplinary cases) convinces me that it has failed the profession and the public, and that Parliament should take the regulation of solicitors away from the Law Society.

Mr Bradley's suspicion that "Joe Public" will become so disenchanted (by delays) that they drop charges is more widespread than your readers may realise. A client of my firm was the recipient earlier this year of compensation imposed against the Law Society by the legal services ombudsman as a fine for its misconduct of a complaint.

The current director of the Office for the Supervision of Solicitors (formerly the Solicitors Complaints Bureau) — its third in seven years — is approaching the end of his first year: the only apparent change is a strike by his staff. I also have direct evidence of the disclosure of the content of an OSS file to "outsiders" in a public house in late 1996.

Of one thing Mr Bradley may be certain: his complaint will rapidly come to the "top of the pile" as a result of the publication of his letter by *The Times*.

Yours etc,  
ARNOLD ROSEN,  
Arnold Rosen & Co (solicitors),  
199 Piccadilly, WI.  
May 12.

From the Director of the Office for the Supervision of Solicitors

Sir, I am the first to acknowledge that my staff are battling with a heavy workload and that there is a real problem with delay in the complaints handling system.

Delay was a problem for the Solicitors Complaints Bureau and a major factor which led to its disestablishment. With the launch of the OSS on September 1, 1996, we committed ourselves to combating delay and to dealing swiftly and effectively with the complaints we received.

Our success, in the short term, has been limited; but we are determined that as we review our working practices, set performance targets and develop our business plan our customers will begin to see marked improvements in our service.

Contrary to the suspicion expressed by Mr Bradley in his letter, delay is not a tool we use to make people drop their complaints: it is often the result of a necessarily lengthy and thorough investigation. In those cases where it is unnecessary we shall be doing our best to ensure that it becomes a thing of the past.

Meanwhile, I have reviewed Mr Bradley's case and am satisfied that my staff kept him informed of the developments in our investigation and acted in his best interest throughout.

Yours faithfully,  
PETER ROSS,  
Director,  
Office for the Supervision of  
Solicitors,  
Victoria Court, 8 Dorset Place,  
Leamington Spa, Warwickshire.  
May 12.

### When to prosecute

From the Chief Crown Prosecutor,  
CPS Huber

Sir, Mr Michael Gould (letter, May 12), referring to alleged frauds at Sheffield City Council, asks whether the Crown Prosecution Service in Sheffield does not regard it as in the public interest to prosecute in such cases.

The CPS regards fraud by public employees as a serious crime. If there is sufficient evidence the public interest will almost inevitably require a prosecution.

However, in this case the police have not sought advice from CPS. They are not obliged to do so. If they had, they would have been told that the CPS prosecutes in the public interest and the attitude of an employer would not be a decisive factor in the decision to prosecute.

Yours faithfully,  
DONALD ADAMS,  
Chief Crown Prosecutor,  
CPS Huber,  
Greenfield House,  
39 Scotland Street,  
Sheffield, South Yorkshire.  
May 12.

### Conflict in Zaire

From Mr Anil Sayani

Sir, I am waiting with eyes peeled to spot the precise moment when Laurent Kabila and his men will stop being referred to as "rebels" (report, May 14).

Yours etc,  
A. SAYANI,  
38 Morley Crescent West,  
Stamford, Middlesex.  
May 14.

### Election 97: where did the Tories go?

From Dr Charles Pattie and Professor Ron Johnston

Sir, Garrett Fitzgerald's analysis of Labour's recent general election victory ("The Tories who stayed at home", May 12) uses the net data on votes won to suggest that relatively few 1992 Conservative voters switched their allegiance to Labour in 1997, whereas many more abstained.

Our early research on all 1992-97 voting movements sustains this case. Using Gallup data on voting intentions in 1997 and reported vote in 1992, we have estimated that fully 25 per cent of the 14 million people who voted Conservative in 1992 did not do so again in 1997 — they had either left the electorate or abstained. About 9 per cent (1.25 million voters) probably switched their support to Labour (less than 2,000 voters per constituency, on average).

In addition to these gains, Labour retained the support of at least 80 per cent of those who voted for the party in 1992 (the Conservative figure was 57 per cent, and that for the Liberal Democrats 59 per cent). It won over just under 900,000 who voted Liberal Democrat in 1992 and 1.8 million from those who did not vote then, the first-time voters in 1997, plus those who abstained in 1992.

Further work may refine these figures somewhat, but the overall pattern is clear: Labour's landslide victory was won with no more than 3 per cent of the electorate transferring their vote from the incumbent party to its main challenger.

It has always been thus: British elections are won and lost because of changes in the voting decisions of relatively few people in a few places.

Yours etc,  
C. J. PATTIE,  
University of Sheffield,  
Department of Geography,  
R. J. JOHNSTON,  
University of Bristol,  
Department of Geography,  
University Road, Bristol.  
May 12.

From the Chairman of MORI

Sir, Garrett Fitzgerald's otherwise most interesting analysis includes one assumption that cannot go unchallenged: that most Conservative Party voters came from former Conservative voters.

In fact, as measured throughout the campaign and confirmed in aggregate analysis of voting behaviour (based on more than 13,000 interviews), barely

half (about 420,000) of their 810,000 votes came from former Tories. The remainder came from other parties (91,000 from Labour and 123,000 from Liberal Democrats) and those who did not vote in 1992.

Yours faithfully,  
ROBERT M. WORCESTER,  
Chairman,  
MORI,  
32 Old Queen Street, SW1.  
May 12.

From Dr M. J. Goldacre

Sir, The Conservative Party's electoral appeal at individual constituency level was even lower than its loss of seats suggests. Only five seats in the whole United Kingdom were won by Conservatives with 51 per cent or more of the votes cast: the highest was Huntingdon (55 per cent). Another nine Conservatives won with 50 per cent of the votes cast, but all the rest of the Conservative voters won with fewer than half the votes cast in their constituencies.

As a comparison, 300 of the MPs of other parties in England, Wales and Scotland won with half or more of the votes cast.

Yours faithfully,  
MICHAEL GOLDACRE,  
83 Rose Hill, Oxford.  
May 12.

From Dr D. G. Guild

Sir, Mr Bernard Buckle (letter, May 6) has got his figures the wrong way round: the Tories got 17 per cent of the votes east in Scotland and no seats, the SNP got over 21 per cent of the vote and only six seats.

This was certainly an indictment of the first-past-the-post system. Moreover the Lib Dems, foremost proponents of proportional voting, did well out of the system they condemn: they got ten seats with only 13 per cent of the votes, less than the Tories. Labour won massively, drawing most of their strength from their central fields, some of which are little more than rotten boroughs.

Of course there were further anomalies — Labour holding Western Isles and winning Sir Russell Johnston's old seat of Inverness, Nairn and Lochaber. The case does seem to be made for some form of proportional voting.

Yours faithfully,  
D. G. GUILD,  
53 Grange Road, Edinburgh.  
May 12.

From the Chairman of GOWRIE

Sir, In commenting on the changes at the Royal Opera House, Rodney Milnes jumps me, and others, as "yesterday's men". He might also have pointed out that the Secretary of State, very much today's man, was informed by the Royal Opera House about their decision to waive their due process of selection in respect of Mary Allen as new chief executive. Given the nature of the emergency, he expressed a supportive view.

I too, like the Royal Opera House was right to think that the loss of Mary Allen is a blow to us, her good work here will make this less difficult to handle than it otherwise might be.

Yours faithfully,  
GOWRIE,  
Chairman,  
The Arts Council of England,  
14 Great Peter Street, SW1.  
May 14.

From Mr Christopher Joubert

Sir, When public bodies stop performing their functions properly, administrative (and sometimes legislative) action is needed to abolish or radically reform them.

I would say that it has now become blindingly obvious that the present organisation of the Royal Opera House is disastrous. The Secretary of State responsible for the arts should certainly take the decisive action characteristic of this Government in its first fortnight and, in Rodney Milnes' words "throw the whole lot of them out". In looking for a team to take over, he should consider radical alternatives.

Improved management is one of the objectives of the private finance initiative. The operation and maintenance of the ROH, including its refurbishment, would be an appropriate first task for a new team engaged under a reformed PFI.

Yours faithfully,  
CHRISTOPHER JOUBERT,  
48 Haydon Park Road,  
Wimbledon, SW19.  
May 14.

From Mr Raymond Gubbay



## COURT CIRCULAR

**BUCKINGHAM PALACE**  
May 14: The Queen, accompanied by the Duke of Edinburgh, went in State to the Palace of Westminster today to open the Session of Parliament.

**Her Majesty and His Royal Highness** drove in a Carriage Procession, escorted by a Sovereign's Escort of the Household Cavalry, and were received at the Sovereign's Entrance by the Lord Great Chamberlain and the Earl Marshal.

Guards of Honour were mounted at Buckingham Palace by the Queen's Guard found by the 1st Battalion Scots Guards and at the Palace of Westminster by the 1st Battalion The Royal Regiment of Wales.

A staircase party of the Household Cavalry was on duty at Victoria Tower, House of Lords.

Gun Salutes were fired in Green Park by The King's Troop, Royal Horse Artillery, and from the Tower of London Saluting Battery by the Honourable Artillery Company.

The Imperial State Crown, the Sword of State and the Cap of Maintenance were conveyed previously to the House of Lords in a Carriage Procession, escorted by a Regalia Escort of the Household Cavalry.

Her Majesty's Body Guard of the Honourable Corps of Gentlemen at Arms was on duty in the Prince's Chamber and The Queen's Body Guard of the Yeomen of the Guard was on duty in the Royal Chapel.

The Ladies and Gentlemen of the Household in Waiting and the Pages of Honour to The Queen were in attendance at The Queen's State Opening of Parliament.

The Queen and The Duke of Edinburgh returned to Buckingham Palace and were received by the Lord Chamberlain and the Vice-Chamberlain of the Household.

**BUCKINGHAM PALACE**

May 14: The Duke of York this morning visited a number of British commercial concerns in San Francisco, California.

His Royal Highness later attended a Reception and Luncheon for the Britain Meets the Bay Foundation at the Ritz Carlton Hotel, San Francisco.

The Duke of York this afternoon attended a Reception given by the British Consul General at the Residence.

His Royal Highness this evening attended the opening night of the Royal Shakespeare Company's "Comedy of Errors" at the Ira and

Leonore S. Gershwin Theater, University of San Francisco.

The Duke of York subsequently attended a Reception given by Mr and Mrs Gordon Getty for the Royal Shakespeare Company.

**BUCKINGHAM PALACE**

May 14: The Princess Royal, Patron, the British Nutrition Foundation, this morning attended a conference on "Nutrition in Infancy" at the Royal Society of Medicine, Wimpole Street, London W1.

Her Royal Highness, Patron, College of Occupational Therapists, this afternoon attended the conference/sday on "Positive Images, Positive Steps" and "the Role of Occupational Therapy in the Mental Health Field is Developing More Than Ever" at Marshalsea Road, Southwark.

The Princess Royal this evening attended a King George's Fund for Sailors' Fund-raising Dinner at Drapers Hall, Throgmorton Avenue, London EC2.

**ST JAMES'S PALACE**

May 14: The Prince of Wales today visited Dorset and was received by Her Majesty's Lord Lieutenant (the Lord Digby).

His Royal Highness, President, this morning visited The Prince's "Superstar" programme for disadvantaged young people at Cosmopolitan Bay, Weymouth, and toured the site, meeting a number of participants.

The Prince of Wales, Duke of Cornwall, this afternoon opened the Enterprise Centre, Poundbury, Dorchester, and was honoured with a Paul Harris Fellowship by the Rotary Club of Dorchester.

**KENSINGTON PALACE**

May 14: The Princess Margaret, Countess of Snowdon was present at the State Opening of Parliament this morning.

**KENSINGTON PALACE**

May 14: The Duke and Duchess of Gloucester were present this morning at the State Opening of Parliament.

The National Sporting Club held an official farewell dinner to the 1997 British Lions touring party last night at the Cafe Royal prior to their departure to South Africa.

Mr Bob Willis, club chairman, presided and Mr Fran Cuton and Mr Gerald Davies also spoke.

**NATIONAL SPORTING CLUB**

The National Sporting Club held an official farewell dinner to the 1997 British Lions touring party last night at the Cafe Royal prior to their departure to South Africa.

Mr Bob Willis, club chairman, presided and Mr Fran Cuton and Mr Gerald Davies also spoke.

**BIRTHDAY**

Miss Zara Phillips celebrates her 16th birthday today.

Professor Sir James Baddley, FRS, biochemist; 79; Sir William Baity, former chairman, Ford Motor Company; 84; Mr D.M. Bosman, former director, Horniman Museum; 66; Dame Eugenia Charles, former Prime Minister of the Commonwealth of Dominica; 78; Lord Darling; 78; Mr Ted Dexter, former chairman, England committee; T.M. Dexter, FRS, haemalogenist; 52; Mr Peter Elwood, chief executive, Lloyds TSB Group; 54; The Hon Sir David Gore-Browne, diplomat; 54; Mr RA Hough, writer; 81; Mr John Lanckaster, conductor; 74; Lord McDonald; 81; Sir Frederick Mason, diplomat; 84; Miss Angela Read, former Headmistress, Dame Alice Battenberg International College; 47; Professor P.A. Reynolds, former Vice-Chancellor, Lancaster University; 77; Mr Anthony Shaffer and his twin brother Mr Peter Shaffer, playwrights; 71; Professor K.S.J. Sparks, FRS, geologist; 48; Mr Ralph Steadman, cartoonist and illustrator; 61; Professor Sir Eric Stroud, paediatrician; 73; Sir David Trippier, former MP; 51.

**THATCHED HOUSE LODGE RICHMOND PARK**

May 14: Princess Alexandra this morning visited the ISS (International Social Service of the United Kingdom) International Spring Fair at Kensington Town Hall, London W8.

At the invitation of The Queen, the President of Brazil will pay a State Visit to the United Kingdom from December 2-5. The President and Senhora Cardoso will stay at Buckingham Palace.

## Today's royal engagements

The Princess Royal will visit RAF Digby, Lincoln at 10:30; and will open the new printing factory, British Printing Company, Wigman Road, Aspley, Nottingham at 2:30.

Princess Margaret will visit RAF Cottesmore, Leicestershire at noon.

The Duke of Gloucester will open the refurbished St Mary's Church, Humes Almshouses, Church Garden, Ealing at 2:45; and will open the Tawny Close Almshouses, Tawny Close, at 3:30.

The Duke of Kent, as Patron, the British Menswear Guild, will attend the annual luncheon at the Royal Automobile Club at 12:40.

Princess Alexandra, as Patron, will visit Lee House, 2 Lancaster Avenue, Wimbledon, at 5:00.

## The Right Hon Baroness Seear

A Service of Thanksgiving for the life and work of the Right Hon Baroness Seear will take place in St Margaret's Church, Westminster Abbey, at noon on Thursday, June 26, 1997. All are welcome, and those wishing to attend are requested to apply for tickets for this service only, to The Rector's Secretary, Room 26, 1 Little Cloister, Westminster Abbey, SW1P 3PL, enclosing a stamped [first class] addressed envelope. Tickets will be posted from June 16.

## Coopers' Company

The following have been elected officers of the Coopers' Company for the ensuing year:

Master, Mr D.L. Jones; Upper Warden, Mr G.C. Sutton; Under Warden, the Rev G.D. Foullis Brown.

**GORDONI BOAT CLUB**

The Gordoni Boat Club will hold a reunion dinner at Balliol College on June 21. Old members should contact the Admiral.

**PERSONAL COLUMN**

**BMDS: 0171 680 6880  
PRIVATE: 0171 481 4000**

They were charged to put their trust in God, to God, to his great acts, true in mind and in body, and in his commandments. Psalm 78 : 7

## BIRTHS

**PRITMAN** - On 1st May, to Sarah (née Walker) and Anthony, a daughter, Olivia.

**REYNOLDS** - On May 5th 1997, in Munich to Sam (née Pollard) and Hans two very proud parents, Marcus Alexander and Daniel George.

**ALLYNDRY** - On 13th May at 8.30am, in Cheltenham, a son, Joshua.

**ARMSTRONG** - On 6th May 1997, to Rose (née Cope) and Sean, a son, Matthew.

**BLAKELEY** - On May 13th 1997, to Kathleen (née King) and Andrew, a son, Luke.

**BLACKMORE** - On May 12th 1997, to Caroline (née Edwards) and Emma (née Squire) and Martin, a daughter.

**CARR** - On May 10th at The Portland Hospital, to Jan (née Dawson) and Philip, a beautiful daughter, Lucy. A sister for Gilly, Harry and Charlie.

**CHAPMAN** - On May 12th 1997, to Catherine (née Dowling) and Gavin, a son, Matthew James.

**CROOK** - On 3rd May 1997, to Amanda (née Smith) and Dominic Crook, a son, Max Antonio Coriolus Crook.

**DENNIE** - On May 8th at St Dunstan's, Canterbury, to Penella (née Fox) and John, a son, Joshua George.

**DODSON** - On May 14th, to Sarah and Gavard, a son, Tom, and a daughter, Emily.

**DUNSMITH** - On 20th April at the Ellington Hospital, to Nga Sip and Euna, a much loved and much missed wife, a baby daughter, Natalee, a sister for Serene and Charlene.

**GUNAS** - On March 8th 1997, to Sam and Eddy, a beautiful daughter, Emily Robyn.

**KEECH** - On May 14th 1997, to Dawn (née Morris) and Gary, a son, Matt.

**LEADBETTER** - On 21st April 1997 at Mount Elizabeth Hospital, Singapore, to Marlene (née Sizemore) and David, a son, Christopher and Margarette, a sister for Serene and Charlene.

**LEIGHFORD** - On 4 May, a son, Thomas, a daughter, Anna, a son, Dylan, a daughter, Charlotte, a sister for Emily.

**MCNAUL** - On May 12th at St Paul's Church, and David, a son, Dylan, a daughter, Charlotte, a sister for Emily.

**PELHAM** - On 1st May, to Michael (née Parker) and Mark, a son, Daniel, a daughter, Sophie.

**PRITCHARD** - On 13th April 1997 at Mount Elizabeth Hospital, Singapore, to Marlene (née Sizemore) and David, a son, Christopher and Margarette, a sister for Serene and Charlene.

**REED** - On 13th April 1997, to Richard and Karen, a son, Daniel, a daughter, Sophie.

**ROBERTS** - On 13th April 1997, to Richard and Karen, a son, Daniel, a daughter, Sophie.

**SCOTT** - On 13th April 1997, to Richard and Karen, a son, Daniel, a daughter, Sophie.

**SPRATT** - On 13th April 1997, to Richard and Karen, a son, Daniel, a daughter, Sophie.

**THOMAS** - On 13th April 1997, to Richard and Karen, a son, Daniel, a daughter, Sophie.

**WILSON** - On 13th April 1997, to Richard and Karen, a son, Daniel, a daughter, Sophie.

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**WILSON** - On 13th April 199



## NEWS

**Blair to shake up welfare state**

■ Tony Blair promised a far-reaching shake-up of the welfare state yesterday as he announced the first Labour government programme for nearly 20 years.

The Prime Minister hailed a 30-measure Queen's Speech building on the hope and optimism that were "coursing through the nation". It had measures to improve education and health, to tackle crime and Bills for early referendums on a Scottish parliament and a Welsh assembly. .... Pages 1, 9-12, 21

**Germ warfare in the supermarket**

■ Products with built-in bug control are about to appear on the shelves of Sainsbury's and Marks & Spencer. They will be impregnated with Microban, a disinfectant that can kill a wide range of bacteria and fungi, including those implicated in most food-poisoning scares. .... Page 1

**No office for Adams**

The Speaker changed the rules to bar Gerry Adams and Martin McGuinness, the Sinn Fein MPs, from using Commons facilities after they refused to swear allegiance to the Queen. .... Page 2

**Rebuilding order**

A man who tore down the stone wall around his listed village rectory and erected an ornate brick entrance with remote-control gates was told by the High Court to restore it. .... Page 3

**Racecourse rage**

Television executives have made a formal complaint to the Jockey Club about the "outrageous arrogance and extreme discourtesy" shown by a racing official at a meeting at York. .... Page 3

**Reign of terror**

A former nursing home director and two colleagues ill-treated mentally handicapped residents in two private homes during a 10-year reign of terror. .... Page 3

**Figes book wins**

Orlando Figes's *A People's Tragedy: The Russian Revolution 1891-1924* won the £25,000 NCR Book Award. Norman Davies's *Europe had been favoured*. .... Page 5

**Singing out**

Genista McIntosh, who resigned as chief executive of the Royal Opera House, spoke out to silence rumours that she had been forced to leave. .... Page 7, 21

**Laurie Lee dies at his Cotswold home**

■ Laurie Lee, the poet and writer who immortalised the Gloucestershire countryside in his autobiographical *Cider With Rosie*, has died at his home in the Cotswold village of Slad. Lee, who was 82, took with him to the grave the identity of the heroine in his bucolic celebration of young love. He had been unwell since Christmas. .... Pages 1, 23



Costas Patounis preparing a £3,500 gazebo for the Chelsea Flower Show, which opens for RHS members on Tuesday and Wednesday and for the general public on Thursday and Friday. More than 20 exhibitors illustrate water conservation

## BUSINESS

**Nato deal with Russia**

Nato and Russia cleared the way for Poland, the Czech Republic and Hungary to join the alliance. Moscow was guaranteed consultation on important issues of security. .... Pages 13, 21

**Du Pont jailed**

John Du Pont, one of the richest history of American crime, has been sentenced to up to 30 years' jail for the murder of David Schultz, an Olympic gold medal-winning wrestler. .... Page 13

**Church militant**

Christians are up in arms about a proposed new Israeli law which they fear could make possession of the New Testament in the Holy Land a criminal offence punishable by a year in jail. .... Page 15

**Rajiv allegation**

Rajiv Gandhi, the Indian Prime Minister assassinated in 1991, has been named in a corruption scandal involving the purchase of Boxfors artillery guns. .... Page 16

**Pram charge**

A Danish actress and her lover from Brooklyn face trial for leaving their baby girl in her pram outside a New York bistro while they drank margaritas. .... Page 16

**Shell protest:** Shell received a rude shock at its annual meeting as more than a tenth of its voting shareholders supported a protest resolution supported by church groups. .... Page 25

**Payment crackdown:** Harriet Harman is to launch a programme to catch out an estimated 1.5 million self-employed people who do not pay National Insurance. .... Page 25

**Fizzed out:** Merrydown Cider has surrendered the distribution rights to its Two Dogs brand after admitting defeat in advertising wars against the big brewers. .... Page 26

**Markets:** The FTSE 100 share index lost 4.1 points to 4689.9 while the pound rose from \$1.6318 to \$1.642 and from DM 2.7697 to DM 2.7910. .... Page 28

**Football:** Peter Lever, chief executive of the FA Premier League, made a stinging attack on Steve Gibson, chairman of Middlesbrough, and Alex Ferguson, manager of Manchester United. .... Page 48

**Cricket:** Gloucestershire proved that their start to the season is no fluke by dismissing Surrey for 115 at the Oval. .... Page 45

**Tennis:** It was another day of shocks in the Italian Open in Rome. Thomas Muster, the defending champion, was beaten by Australian Scott Draper in the second round. .... Page 48

**Equestrianism:** Di Lampard, riding Audacity, won the opening Land Rover Grade A event with the opening day of the Royal Windsor Horse Show. .... Page 46

**Rivers of blood:** Strikers' picket is revived at Covent Garden with sensational singing to lift Götz Friedrich's 1990 production, now showing its age. .... Page 34

**Beauty feast:** "The effects ensure that, if your brain-cells begin to ooze away or your ear-drums to fudge up, your eyes will remain ravished" — Benedict Nightingale on *Beauty and the Beast*. .... Page 26

**Star spotting:** *Trainspotting* may have made actor Ewan McGregor a hot property, but he got his big break in an 11-minute short made for a competition. .... Page 36

**Boxing clever:** Best of the week's new films is the Oscar-winning *When We Were Kings*, featuring the charismatic, principled Muhammad Ali. .... Page 37

**Dash dives:** The customary long lunch of government ministers may be under threat but Dr Thomas Stuttaford advises caution. "A heavy evening meal may do irretrievable damage to health," he writes. .... Page 18

**Hidden meat:** He advised Tony Blair on his drugs Bill, helped Peter Mandelson, a car during the election campaign — is James Palumbo now Labour's secret weapon? Interview by Mary Riddell. .... Page 19

**Best buys:** A London-Bangkok return flight for £439 — just one of the travel bargains. .... Page 40

**Sky high:** The airline industry is blaming fuel price rises for the big increases in the cost of business-class flights. .... Page 41

**Preview:** Angus Deayton presents a quip-filled guide to cheats and fibbers. *The Lying Game* (BBC1, 10.20pm). Review: Joe Joseph on a thriller which seems to have lost its plot. .... Pages 46, 47

**The Queen's business**

By the end of this Parliament, Tories and Labour will no longer be arguing about conjecture. There will be facts to support or undermine their cases. .... Page 21

**The end of one alliance**

Confidence-building must now be made to succeed; for at the end of that period, historians may cite yesterday as the date when the West began to dismantle the North Atlantic Alliance. .... Page 21

**Duca e donna**

There might be a surprise finale if the present cast showed any sign of being able to run a professional opera house as easily as they can arrange a gala performance or a fracas in a crush bar. .... Page 21

**WILLIAM REES-MOGG**

In practical political terms, the Conservative Party should use the next year to revive the membership, to debate the issues which were difficult to debate in government and to elect a leader with authority. .... Page 20

**ANTHONY LESTER**

A Human Rights Commission to provide well-targeted and cost-effective advice and assistance to law centres, Citizens Advice Bureaux and others in bringing human rights cases will improve access to justice at minimal cost. .... Page 20

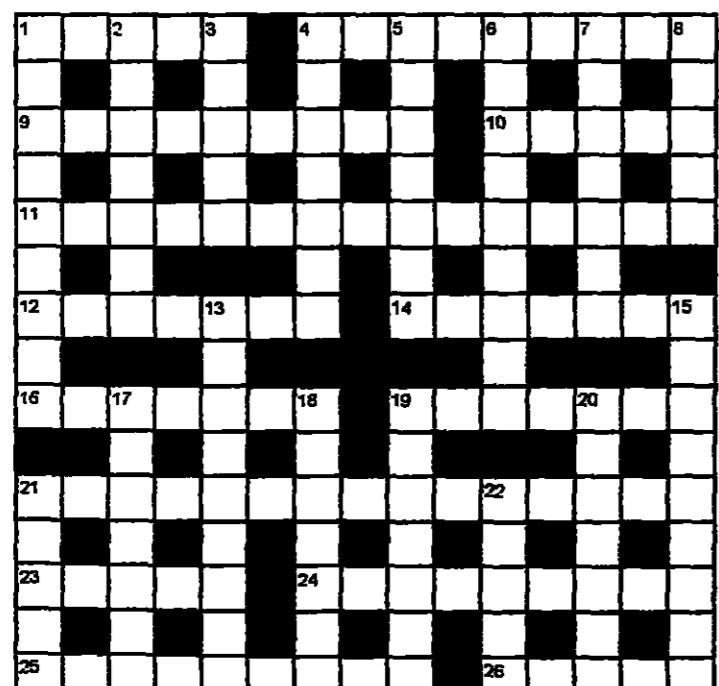
**PETER RIDDELL**

The Queen's Speech is longer on long-term promises than specific proposals. The most interesting feature was Mr Blair's comment that "we have reached the limit of the public's willingness simply to fund an unreformed welfare system through ever-higher taxes and spending". .... Page 20

**Laurie Lee:** author, Hans-Hubert Schenziger, conductor and musicologist. .... Page 23

**Royal Opera House:** handling legal complaints; Tories and the election; Trinity dons; Zaire. .... Page 21

## THE TIMES CROSSWORD NO 20,480

**ACROSS**

- More sage is planted in middle of flowerbed (5).
- Sectional management of seaboard (9).
- Times of past triumphs happening originally in Bess's reign (9).
- Correct to return, following second theme (5).
- Cheering up? (8,7).
- The old still amicable — head off for resort (7).
- Fellow prepared to show matching knifewear (4,3).
- Sum laid out for both-ways speculation? (7).
- Diplomat almost engaged (7).
- Grasp ass, perhaps that's an undependable type (5,2,3,5).
- French runner between banks has nothing in Italian currency (5).
- Clother who has dismissed tailor (9).

Solution to Puzzle No 20,479

**PRIVATE LIVES**  
ULSTER VOTE  
TRIMESTERS ELUDED  
DAX YIN AND  
OLDHAM AGITPROP  
WNA  
NOBODY STAMPEDE  
URGEAR  
ENSWAITHES TISSUE  
XTAN  
MAILAPERT OFFSET  
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OUNCE OPERATION  
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**HIGHEST & LOWEST**

Yesterday: Highest day temp: London Weather Centre 21C (70F); lowest day temp: Cape Wrath, Highlands 10C (50F); highest rainfall: Autres, Highlands 0.47mm; highest sunshine: Teignmouth, Devon 14 hrs.

**24 hrs to 5 pm:**

b=bright, c=cloudy, d=drizzle, d=drum storm, d=drum rain, f=fog, g=gale, h=hail

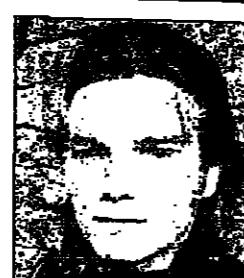
Cloud cover: 0=clear, 1=few, 2=few, 3=few, 4=few, 5=few, 6=few, 7=few, 8=few, 9=few, 10=few, 11=few, 12=few, 13=few, 14=few, 15=few, 16=few, 17=few, 18=few, 19=few, 20=few, 21=few, 22=few, 23=few, 24=few, 25=few, 26=few, 27=few, 28=few, 29=few, 30=few, 31=few, 32=few, 33=few, 34=few, 35=few, 36=few, 37=few, 38=few, 39=few, 40=few, 41=few, 42=few, 43=few, 44=few, 45=few, 46=few, 47=few, 48=few, 49=few, 50=few, 51=few, 52=few, 53=few, 54=few, 55=few, 56=few, 57=few, 58=few, 59=few, 60=few, 61=few, 62=few, 63=few, 64=few, 65=few, 66=few, 67=few, 68=few, 69=few, 70=few, 71=few, 72=few, 73=few, 74=few, 75=few, 76=few, 77=few, 78=few, 79=few, 80=few, 81=few, 82=few, 83=few, 84=few, 85=few, 86=few, 87=few, 88=few, 89=few, 90=few, 91=few, 92=few, 93=few, 94=few, 95=few, 96=few, 97=few, 98=few, 99=few, 100=few, 101=few, 102=few, 103=few, 104=few, 105=few, 106=few, 107=few, 108=few, 109=few, 110=few, 111=few, 112=few, 113=few, 114=few, 115=few, 116=few, 117=few, 118=few, 119=few, 120=few, 121=few, 122=few, 123=few, 124=few, 125=few, 126=few, 127=few, 128=few, 129=few, 130=few, 131=few, 132=few, 133=few, 134=few, 135=few, 136=few, 137=few, 138=few, 139=few, 140=few, 141=few, 142=few, 143=few, 144=few, 145=few, 146=few, 147=few, 148=few, 149=few, 150=few, 151=few, 152=few, 153=few, 154=few, 155=few, 156=few, 157=few, 158=few, 159=few, 160=few, 161=few, 162=few, 163=few, 164=few, 165=few, 166=few, 167=few, 168=few, 169=few, 170=few, 171=few, 172=few, 173=few, 174=few, 175=few, 176=few, 177=few, 178=few, 179=few, 180=few, 181=few, 182=few, 183=few, 184=few, 185=few, 186=few, 187=few, 188=few, 189=few, 190=few, 191=few, 192=few, 193=few, 194=few, 195=few, 196=few, 197=few, 198=few, 199=few, 200=few, 201=few, 202=few, 203=few, 204=few, 205=few, 206=few, 207=few, 208=few, 209=few, 210=few, 211=few, 212=few, 213=few, 214=few, 215=few, 216=few, 217=few, 218=few, 219=few, 220=few, 221=few, 222=few, 223=few, 224=few, 225=few, 226=few, 227=few, 228=few, 229=few, 230=few, 231=few, 232=few, 233=few, 234=few, 235=few, 236=few, 237=few, 238=few, 239=few, 240=few, 241=few, 242=few, 243=few, 244=few, 245=few, 246=few, 247

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BUSINESS EDITOR Patience Wheatcroft

THURSDAY MAY 15 1997

## Recount to go ahead as jobless tally falls

By PHILIP BASSETT  
INDUSTRIAL EDITOR

THE Government yesterday confirmed that it would review the official unemployment figures as it announced a further 59,400 drop in the number of people out of work and claiming benefit.

Labour has criticised the unemployment statistics as "fiddled figures", but in trying to improve them the Government runs the risk of presiding over a nominal rise in unemployment.

Despite that as foreshadowed in *The Times* this week, ministers yesterday announced a rapid review of the official figures, to be carried out by the Office for National Statistics.

Andrew Smith, Employment Minister, said if policies aimed at helping the unemployed to find jobs were to succeed, they had to be based on accurate statistics. He said: "Credibility must be restored to the official unemployment statistics. I very much welcome therefore the opportunity to review this information through the announcement by the ONS of a public consultation on labour market statistics."

The ONS, which is already reviewing the presentation of the Government's unemployment figures, will use the opportunity of Mr Smith's announcement to re-argue the case for the monthly count of unemployed benefit claimants being supplemented by a monthly version of the statistically rated Labour Force Survey measure of unemployment.

Claimant unemployment dropped to a near seven-year low yesterday, the ONS said, with a 59,400 fall in seasonally adjusted claimant unemployment to 1,651,400, or 5.9 per cent of the workforce. The fall was the fourteenth successive monthly drop.

But earnings pressures eased as the increase in average earnings held steady at 4.5 per cent, after last month's figure was revised downwards by 0.5 percentage points.



Helen Liddell with, from left, Sir Andrew Large, Andrew Winkler and Colette Bowe, laid down the rules to life office chiefs and financial advisers

## Green resolution makes Shell's board see red

By CARL MORTISHED

THE environmental lobby claimed a major victory yesterday when more than 10 per cent of investors in Shell voted for a radical overhaul of the oil company's stance on green issues.

At Shell's annual meeting in London they supported a resolution, sponsored by church groups, that called on Shell to improve the monitoring of its environmental performance and to conduct an external audit of its environmental policies. It was firmly opposed by the board.

The resolution, which was defeated by a margin of less than eight to one, is believed to have garnered support from employee trustees of pension funds and private shareholders. However, large insurance companies, including the Prudential, as well as leading fund management groups, are thought to have opposed it.

The oil company has been lobbying pension funds and

insurers. The argument between Shell and its critics has highlighted the growing conflict over the power of shareholders and the board's right to manage the company.

Shareholders who arrived at the packed annual meeting in Westminster were greeted by noisy supporters from environmental groups such as Friends of the Earth and supporters of the imprisoned Ogoni activists in Nigeria.

John Jennings, chairman of

Shell's UK parent company,

quickly issued a statement

indicating that he shared the sentiments behind the resolution and said: "I also accept that external verification of performance is in principle desirable." However, he said it was inappropriate to seek external verification of board policies: "We have a problem in the concept of auditing policy. We cannot share this ultimate responsibility."

The resolution was sponsored by the Ecumenical Council for Corporate Responsibility.

sibility and other church-based groups which make up less than 1 per cent of the oil company's shares. It requested that a director be appointed to implement environmental policy; internal procedures to monitor policy; external review and audit of policies; regular reports to shareholders and a report on Nigeria.

The Rev John Hall, of the

ECCR, said supporters of the

resolution were not hot-headed activists. "We are concerned that our company should do and be seen to be doing what is right. Our company should not be like a coal-effect fire assiduously polished by public relations consultants."

Referring to the board's opposition, he said: "This is a sledgehammer being used to crack a nut, but this acorn has taken root and the landscape will be transformed."

A private shareholder asked the board why it was opposing the resolution when an audit of the Brent Spar platform had been a success for the company, resulting in a formal apology and retraction from Greenpeace of its allegations.

Action by the TUC may have been crucial: the organisation requested that its panel of employee trustees cast their votes at the Shell AGM rather than leaving it to fund managers.

An oil analyst at a leading stockbroker said he was getting more calls from clients asking about the environmental policies of companies.

Firc, the pension fund consultancy that became a thorn in the side of British Gas over boardroom pay, provided a platform for environmental groups. Anne Simpson, of Firc, said the result was a success and that Firc would continue to push Shell to adopt international environmental standards.

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## Liddell warns pension firms

By ROBERT MILLER

SENIOR executives from 28 firms that mis-sold personal pension plans were yesterday ordered by a government minister to report back to the Treasury within a month on plans to speed up compensation payments to more than 550,000 victims.

Helen Liddell, Economic Secretary to the Treasury, told the leaders of the life offices and independent advisers that delays in compensating investors were "simply unacceptable". She added: "It is the ordinary man or woman in the street who is being hurt by their foot-dragging."

In a tense 20-minute Whitehall meeting yesterday Ms Liddell, sitting with Sir Andrew Large and Andrew Winkler, the chairman and chief executive of the Securities and Investments Board (SIB), the chief city watchdog, and Colette Bowe, head of the Personal Investment Authority, which is overseeing the £4 billion mis-selling review, laid down the rules.

The minister warned the life offices that if they were unable to convince the Treasury of their "sincerity" in completing the review, the Government will "take their conduct into account in its reform of financial services regulation". This could lead to a much tougher disciplinary regime as well as exclusion from taking part in the expected multi-billion-pound market of long-term retirement and healthcare plans.

The first step in the planned legal reforms is expected to be the announcement shortly of a new SIB chairman to replace Sir Andrew who stands down at the end of July. The new SIB chief will then oversee the creation of one overarching City regulator prior to new financial services legislation.

Commentary, page 27

## BUSINESS TODAY

### STOCK MARKET INDICES

|                |          |           |
|----------------|----------|-----------|
| FTSE 100       | 4,888.5  | (1.41)    |
| Yield          | 4.47%    |           |
| FTSE All share | 2,229.79 | (1.187)   |
| Market         | 2,029.72 | (1.80 81) |
| New York:      |          |           |
| Dow Jones      | 7,312.12 | (+37.91)  |
| S&P Composite  | 836.88   | (+3.75)   |

### US RATE

|               |       |         |
|---------------|-------|---------|
| Federal Funds | 5.12% | (5.1%)  |
| Long Bond     | 9.65% | (9.6%)  |
| Yield         | 6.88% | (6.82%) |

### LONDON MONEY

|                   |        |          |
|-------------------|--------|----------|
| 3-month Interbank | 6.12%  | (6.1%)   |
| Life long gilt    | 11.41% | (11.41%) |

### STERLING

|           |        |          |
|-----------|--------|----------|
| New York: | 1,6403 | (1,6322) |
| London:   | 1,6405 | (1,6319) |
| DM:       | 2,7887 | (2,7897) |
| FF:       | 9,3989 | (9,3285) |
| FR:       | 2,3631 | (2,3445) |
| JPY:      | 194,11 | (194,19) |
| Yen:      | 98,3   | (98,6)   |
| S Index:  | 103,1  | (103,41) |

### DOLLAR

|         |        |          |
|---------|--------|----------|
| London: | 1,7000 | (1,6925) |
| DM:     | 5,7290 | (5,7075) |
| FF:     | 1,4390 | (1,4360) |
| FR:     | 119,83 | (118,60) |
| JPY:    | 103,1  | (103,41) |

### NORTH SEA OIL

|                     |         |           |
|---------------------|---------|-----------|
| Brent 15-day (Jul): | \$19.25 | (\$19.50) |
|---------------------|---------|-----------|

### GOLD

|               |          |            |
|---------------|----------|------------|
| London close: | \$349.05 | (\$348.05) |
|---------------|----------|------------|

\* denotes midday trading price

## Dillon Read talks fail

ADVANCED takeover talks between ING Barings and Dillon Read, the private US investment bank, broke down last night after a mystery bidder entered the fray with a higher offer.

The identity of the possible buyer is unclear but on Wall Street speculation had SBC Warburg emerging as the front-runner with NationsBank and Kleinwort Dresdner also interested.

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## Buoyant sales lift shares in Safeway

By SARAH CUNNINGHAM

SHARES in Safeway, the supermarket group, surged 7 per cent yesterday after it reported more buoyant than expected sales.

The company said it is to take 1,600 extra staff for its existing supermarkets in the next year at a cost of £10 million, together it is to take on 8,000 more staff over the next two years.

In January, March 29, total sales increased by 8.7 per cent to £7.07 billion, while at comparable stores, the increase was 4.7 per cent. The sector average is between 3

Chains make gains, page 29

## NI fraud campaign could breach human rights law

By JASON NISSE

## LABOUR'S BILLS FOR BUSINESS IN THE QUEEN'S SPEECH

In a dramatic shift from the old "beer and sandwiches" tradition, it has emerged that Tony Blair, the Prime Minister, consulted business leaders before writing the Queen's Speech but has yet to sit down with senior trade unionists since winning the election two weeks ago (Philip Bassett writes). In the speech yesterday, it was made clear that a "new partnership with business" would be at the heart of Labour's plans "to build a modern and dynamic economy to improve the competitiveness of British industry". The Prime Minister's office held talks with a team from the Confederation of British Industry, led by Sir Colin Marshall, its president, and Adair Turner, Director-General, last Wednesday,

only the second full working day for the new Government. The Prime Minister said he looked for support from business to help to deliver Labour's programme in Government. The CBI presented to the Prime Minister and to Robin Cook, the Foreign Secretary, a three-page letter setting out technical issues for business arising from the Intergovernmental Conference before the European Union summit in Amsterdam next month. The TUC confirmed that John Monks, its General Secretary, has not yet met Mr Blair or talks in Downing Street, though officials indicated they had spoken by telephone. The TUC said it was not overly concerned that Mr Blair had met business leaders before the unions.

## 'New deal' on jobs and low pay targeted

By PHILIP BASSETT, INDUSTRIAL EDITOR

THE Government's welfare-to-work plans and proposals for a national minimum wage are at the core of its employment programme outlined in the Queen's Speech.

A special Cabinet committee led by Gordon Brown, the Chancellor, and David Blunkett, Education and Employment Secretary, met yesterday to set the shape of the radical policies.

The Queen's Speech said the Government was pledged to "mount a fundamental attack upon youth and long-term unemployment" by bringing forward measures aimed at moving 250,000 young people off benefits and into work.

### Developing a new line in agencies

THE Government intends to set up a string of regional development offices modelled on the Northern Development Company, which has lured 400 businesses to the North of England (Elizabeth Stephens writes).

Unlike the state-funded Scottish and Welsh development bodies, the NDC was set up on local initiative and is funded by business, trade unions, local government and colleges. Although the Scottish and Welsh quangos have attracted a stream of successful businesses, they have not been noted for their cost-effectiveness.

After a consultation period this summer, a regional development budget will be created by redeploying funds from existing programmes. Bids will then be invited from local consortiums, and the agencies should be operating within two years.

financed by a one-off windfall levy on the "excess" profits of the privatised utilities.

Under the "new deal" on jobs, young people out of work for six months or more will be offered a private-sector job, with employees able to obtain a subsidy of £60 a week for six months; or a job in the voluntary sector; or a job with the Government's planned environmental task force; or full-time education or training. Long-term unemployed out of work for two or more years will also be helped by offering employers a subsidy of £75 a week for six months to take them on.

The Queen's Speech also made a pledge to set up a Low Pay Commission, to be headed by Peter Jarvis, retiring chief executive of Whitbread and a recent convert to the idea of a minimum wage. It will be made up of employers, employees and independent experts and will meet on a non-statutory basis until its legal position is confirmed.

The Government will set a minimum wage level according to prevailing economic circumstances, after advice from the commission.

Rodney Bickerstaffe, general secretary of Unison, the biggest union which has long campaigned for a minimum wage, said that the measures were an excellent start. "For the first time we have a Government prepared to introduce a minimum wage and one which is going to tackle youth unemployment."

The Low Pay Unit pressure group said that six million full and part-time workers would benefit if the minimum wage was set at half male median earnings — which would mean £4.42 an hour — with the Exchequer set to gain £4 billion a year in benefit savings and increased tax and National Insurance receipts.



Margaret Beckett, President of the Board of Trade involved in late payment legislation

## Go-ahead for late-payment Bill

BY ADAM JONES

LABOUR'S pre-election drive to display itself as the party for small businesses was confirmed with a commitment in the Queen's Speech to introduce a statutory right to interest on late payments.

The Fair Payment of Commercial Debts Bill was widely expected, having been listed in the party's manifesto.

The details have not been firm and will be thrashed out in consultations with business groups, many of whom are doubtful that legislation will improve the lot of small companies.

Thresholds will have to be agreed on the size of the company that is protected by

legislation, if it is not to be extended to all firms. It is likely that interest on recurring small debts will be able to be rolled into a bigger claim.

A deadline for claims will be set. The Forum of Private Business, which represents

24,000 companies and has twice drafted a sample Bill, said it wants companies to be able to claim outstanding interest for up to six years.

It said this would let smaller companies delay making a fuss until a time when it will

not damage a trading relationship. Many business groups are worried that laws will be neutralised by losing business.

The FFB also wants late payers to have to publish the amount of interest they could be charged if the right to compensation was invoked. It said the extra auditing fees and the public embarrassment would encourage action.

The level of fines and the legal processes by which they can be implemented will be looked at in a consultation led by Lord Borrie. In a three-man team with John Vickers of Shell and Brian Sanderson of BP, Lord Borrie will lead talks with industry on how the bill can be enforced. An independent body will be established to hear appeals from companies facing point-action.

### Blair hails Bank move

TONY BLAIR yesterday said that giving the Bank of England operational freedom is necessary because "the Government shouldn't be able to play politics with people's mortgages" (Alasdair Murray writes). Mr Blair's comment came after a Bank of England Bill, to let the Bank set interest rates on a month-to-month

basis, was included in the Queen's Speech. Under the Bill, the Government will appoint four new members to the Bank's monetary policy committee, and a second deputy governor. A mini-Budget is expected on June 10. The main proposals for it are a windfall tax on utilities and a cut in VAT on fuel.

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## Consumers can sue over issues of competition

BY CHRISTINE BUCKLEY  
INDUSTRIAL CORRESPONDENT

CONSUMERS and businesses will have the right to sue companies over anti-competitive behaviour, and transgressors will face stiff fines in legal action by the Director-General of Fair Trading under a new Competition Bill.

It will mark the first time companies will be liable to pay damages to their customers for anti-competitive action. The Government believes that this, along with fines that can be levied by the OFT, will provide a stronger deterrent against competition transgressions.

The Bill, which will give the OFT tougher powers to investigate alleged transgressions, will move the UK into line with European competition law. Legislation will replace the Restrictive Trade Practices Act with a ban on anti-competitive agreements.

The level of fines and the legal processes by which they can be implemented will be looked at in a consultation led by Lord Borrie. In a three-man team with John Vickers of Shell and Brian Sanderson of BP, Lord Borrie will lead talks with industry on how the bill can be enforced. An independent body will be established to hear appeals from companies facing point-action.

## Brussels approves BT's £13bn deal

THE European Commission yesterday approved British Telecom's £13 billion takeover of MCI of America, the largest transatlantic merger, after the companies agreed to certain minor concessions. The merger, which will create a global powerhouse to compete with AT&T and Deutsche Telekom, still requires regulatory clearance in the US. This is expected in the autumn. BT and MCI met the Commission's conditions by agreeing to sell MCI's relatively small teleconferencing business in Britain. They also agreed to sell some capacity on their transatlantic submarine cables to other operators to avoid strengthening their dominant position in the US-to-UK call market.

The US Federal Communications Commission is expected to place tougher conditions on the BT-MCI merger. AT&T, America's largest long-distance phone company, has said the deal should not be approved unless BT can prove that the UK telecoms market does not discriminate against foreign competitors. The merged company, to be called Concert, will have headquarters in London and Washington and its shares will trade on the London and New York stock exchanges. BT will continue to trade under its own name in Britain.

## BAA traffic grows 6%

A RUN of late Easter holidays helped BAA, the UK airport operator, to attract a 6 per cent increase in passenger volumes last month. More than eight million passengers went through BAA airports. Growth was led by Stansted Airport, which saw passenger traffic rise 7.3 per cent, with Heathrow Airport up 5.6 per cent on the strength of an upturn in European scheduled flights. Total tonnage of cargo rose 6.7 per cent compared with the same month of 1996. Shares in BAA gained 9 p to 539, close to their best ever.

## Airlines in \$42bn link-up

UNITED AIRLINES, Lufthansa, Thai Airways, Air Canada and SAS have joined forces to create a global alliance with combined sales of \$42.2 billion. Varig and South African Airways are tipped to join the so-called Star Alliance, which will feature code-sharing on flights. The news brought a swift response from American Airlines and British Airways, who urged their respective governments to approve their planned link-up. Opponents say the BA-AA alliance will create a stranglehold on key air routes between Europe and North America.

## Varday joins Fidelity

GILES VARDEY, the former director at the London Stock Exchange who lost out in the battle to succeed Michael Lawrence as chief executive last year, is to join Fidelity Brokerage Services as president and chief executive in June. The appointment is a coup for FBS, which recently reopened for business after a six-month ban and a £200,000 fine imposed by the Securities and Futures Authority. As head of markets development at the exchange, Mr Varday did the groundwork for the electronic order book due to be introduced in October.

## Utilitec predicts fall

UTILITEC, the water and gas measurement company, has warned it is to plunge into the red just four weeks after raising £12 million on the market. The company, which changed its name from Cruden Bay after a reverse takeover by Technilog on April 17, said a delay in orders would leave a loss this year against the £850,000 profit expected by the market. Analysts now expect a loss of £1 million. Its shares, offered at 90 during the fundraising, slid 30 to 73 p. The London head office is being closed at a cost of £800,000.

## Plea for water meters

THE water regulator has called for water companies to encourage greater use of meters. Ian Byatt said that charges for meters were too high in many areas in spite of widespread customer support for the principle of paying for water according to the amount of water you use. Mr Byatt forecast that more than one in ten customers would have a meter by the end of the year. The average cost of installation has halved since last year, to £33, according to the watchdog's report on water company tariffs. Twelve companies fit meters free.

## BG announces oil find

BG EXPLORATION AND PRODUCTION, part of the former British Gas group, yesterday announced an oil discovery in the North Sea, but said that it was too early to give an estimate of the reserves. This was the first well to be drilled by BG Exploration and Production in this particular North Sea block, which operated in conjunction with two other producers, Amerada Hess and Righ Petroleum. Planning work for an appraisal well is in progress. BG has extensive oil interests in the North Sea and internationally.

## Caradon gives warning

CARADON, the building products company, warned that a triple whammy of the strong pound, a competitive American market and the lack of a contribution from businesses sold last year would hit first-half profits in 1997. Anthony Hitchens, chairman, said that the group's businesses were nevertheless generally making progress. Caradon was forced into a radical restructuring, selling £220 million of non-core businesses. Yesterday shareholders approved a plan to hand back £174 million of the proceeds via a share buyback.

## Reckitt remains robust

RECKITT & COLEMAN, the household products group, said that its performance in the first four months of this financial year remains robust, although, as with other exporters, the strength of Sterling remains an issue. Alan Dalby, chairman, told the annual meeting yesterday that he was confident that "the underlying momentum of 1996 will continue and the planned investments for brand development and growth will remain your board's priority". The positive words sent Reckitt's shares 16p higher to 905p.

## Horlick in line for £1m job

BY ROBERT MILLER

NICOLA HORLICK, the former Morgan Grenfell fund manager, could earn up to £1 million a year when she joins Societe Generale, France's largest fund manager, in London.

Ms Horlick is to link up with John Richards, currently head of investment for UK institutions at Mercury Asset Management (MAM). The

two managers began their City careers at MAM 14 years ago and will now spearhead Societe Generale's bid to become a leading player in the UK pension fund management business.

Mr Richards, 36, will be managing director of the new subsidiary which will start with £55 million to look after Ms Horlick, who was sus-

pended from her senior post at Morgan Grenfell amid allegations of staff poaching and subsequently left claiming constructive dismissal, yesterday declined to comment. A close friend of Ms Horlick said: "Nicola had a lot of options to consider. She feels that the Societe Generale offer is the best one."

Patrick Pagni, chief executive of Societe Generale UK and chairman of the new asset management arm, said he hoped to sign up Ms Horlick by mid-June.

M. Pagni said: "We are prepared to pay market prices for the right staff but not over the top and we will invest solidly in the business so that we become a factor to be reckoned with in this sector."

## Merrydown turns Two Dogs loose

BY ALASDAIR MURRAY

MERRYDOWN has been forced to pass distribution rights for Two Dogs, its alcopop brand, to Scottish & Newcastle after sales tumbled in the final quarter.

The cider company admitted that it had been unable to maintain distribution and provide sufficient advertising back-up in the increasingly competitive alcopop market.

Scottish & Newcastle will buy Two Dogs from Merrydown, which continues to own the rights, and distribute the product itself.

Merrydown shares, which hit 140½ p last year, fell more than 15 per cent to close at 75½ p. Analysts cut full-year profit forecasts by about 40 per cent to £850,000.

Two Dogs started the craze for alcopops when it was launched two years ago. The brand remains the second-biggest seller but has lost ground rapidly to the market



Two Dogs: changes ahead

## Non-executives' pay soars

BY JON ASHWORTH

FEES paid to non-executive directors have risen by between 15 and 20 per cent in the past two years, and are set for further steep increases, according to a survey of more than 500 UK company chairmen.

The average remuneration for a non-executive director devoting 10 to 20 days a year to a company with turnover of £25 million or less is £18,000, up from £11,200 two years ago. Those devoting the same amount of time to a company with turnover of £2 billion or more earn £25,300, against £20,900 in 1994.

The average daily rate for a UK non-executive director is £800 to £1,500. Company chairmen expect fees to con-

tinue rising at about 10 per cent a year.

Ian Newbold, chief executive of Pro-Ned, which specialises in non-executive recruitment, said that the rises were less excessive than they appeared, since they were from a relatively modest base.

Mr Newbold, former com-

mittee on corporate governance are now widely embraced by listed companies, according to the research. Non-executives now comprise half the board in companies of all sizes, on average, an increase on two years ago.

Looking ahead, 46 per cent of respondents favoured candidates with overseas experience, and 38 per cent favour women candidates, of whom

non-executives' pay soars

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Non-executives now comprise half the board in companies of all sizes, on average, an increase on two years ago.

Pro-Ned jointly com-

missioned the survey with the Board for Chartered Accountants in Business, part of the Institute of Chartered Ac-

countants, in England and Wales.

### LEGAL & PUBLIC NOTICES

0171-782 7344

#### LEGAL NOTICES

##### ELECTRICITY NOTICES Scottish Hydro-Electric plc

Notice of application for consent to construct a Combined Heat and Power Plant at Scratfield Hook Paper Mill, Scratfield, Kent. Notice is hereby given that Scottish Hydro-Electric plc has applied under section 36 of the Electricity Act 1989, for the consent of the Secretary of State for Trade and Industry to construct a Combined Heat and Power plant at the Scratfield Hook Paper Mill, Scratfield, Kent and for a direction under section 90(2) of the Town and Country Planning Act 1990, that planning permission for the development be granted to the applicant.

A copy of the application, with a plan showing the land to which it relates, together with a copy of the Environmental Statement and non-technical summary discussing the Company's proposals in more detail and presenting an analysis of the environmental implications, are available for inspection during normal office hours at the following address:</p

**S**hell is not the evil corporate monster that the protesters would have us believe, but it must rank as a public relations disaster area, says British Gas at its worst could challenge the oil giant's ability to incompletely handle criticism and spectacularly turn its detractors into heroes and its directors into incompetents. The fact that 11 per cent of Shell's shareholders were persuaded to vote against the company's board yesterday was a huge blow to the company and carries a strong message to industry generally. Not long ago it would have been unthinkable for the major investors who hold the bulk of Shell's shares to have taken such a stand. But for the opposition to have reached that level means that some substantial funds voted for change. The grey men who run the institutional funds joined with small shareholders to deliver a drastic condemnation of the company.

They were responding to a powerful cocktail of clever lobbying from pressure groups and appalling arrogance and poor judgment from Shell. It was the same combination that turned Shell into an international pariah over its wish to dispose of the Brent Spar oil platform. In the end, Friends of the Earth had to admit that some of the allegations levelled against the company during that debacle had been ill-founded, but by then Shell had been indelibly marked as environmentally unsound. Its latest dispute centred on

## Business ethics don't travel well

**COMMENTARY**  
by our City Editor

environmental issues again, this time in Nigeria, and coupled with complicated criticisms of its attitude towards human rights. The company is probably no more blameworthy than most international giants on these scores and probably less so than many. However, its inept response has left it looking guilty and given the likes of the holier-than-thou Anita Roddick a chance to kick a multinational when it's down. Despite their colourful allegations, the protesters, led by the highly sophisticated Anne Simpson of PIRC, who makes a living out of engineering corporate discomfit, sought to challenge the annual meeting on a relatively narrow point, asking for monitoring of Shell's environmental and human rights policies and external auditing.

Chairman John Jennings actually told the meeting that he shared the sentiments behind the resolution — a little more of that attitude earlier on might have averted a great deal of trouble. He was able, with some justification, to tell shareholders that the company has been publishing its statement of business principles for two decades, and remains proud of them. But external auditing was not on. That was not enough to appease the pro-

testers. The demand for external auditing will grow as a younger generation fired up over environmental issues and convinced that big business is exploitative overseas, becomes more vociferous.

What Shell avoided saying is that international companies from other countries, and Nigerian firms themselves, have rather lower standards than theirs. By what rules should international companies be judged? That is the question that should be vexing the business ethics consultants who are beginning to spring up and would love the profit opportunity of conducting regular ethical audits.

Let us be grateful that Shell's foot-in-mouth merchants did not try to grapple with that one.

### Welfare to work is just the job

The medium was an elderly lady reading from a prepared script, but the message for the business world was

rather more dynamic. The new Government has often proclaimed its desire to work with business, but let there be no doubt on whose terms.

Alongside its plethora of planned legislation, the Queen's Speech contained several measures which have little or no business support but which are, none the less, to go ahead. The structures of the social chapter and potential burden of a minimum wage will soon be felt in Britain.

There is to be a liability to interest on late payment of debts, even though the CBI and Institute of Directors oppose the move and small firms organisations are divided on its viability. Barbara Roche, the new small firms' nanny, believes it will be good for her charges.

Utilities will have to come to terms with a tighter regime and the long-heralded windfall tax will rob Peter to fund Tony and Gordon's welfare-to-work scheme. But if this scheme is to stand any chance of success, then edits from on high will not

suffice, even with the backing of legislation. The admirable idea of taking out-of-work youngsters and the long-term unemployed and putting them usefully to work will not be accomplished without huge commitment from employers; tax rebates may not be enough to encourage them to take on unqualified staff.

Providing training for an increasingly sophisticated workplace is an expensive exercise, particularly when the raw material can be depressingly under-educated in the first place. There are examples of companies that have made tremendous efforts in this direction, and been rewarded with high productivity and cheering profits; the pioneering schemes at Unipart, the privately owned car parts business, have been remarkably successful.

But if other companies are to be persuaded to make welfare to work a reality, a concerted push by business leaders will be required. If the CBI and the IoD really aim to have a constructive

relationship with the new Government, they should put what muscle they have behind the project, and companies should do likewise. Apart from the long-term benefits to the country, it would make constructive discussions on such fraught areas as competition policy and corporate taxation rather easier to achieve.

Perhaps the soon to be ennobled David Simon, with his well-spread portfolio, might find time to appraise his former colleagues in the world of big business of the merits of putting Labour's Big Idea into effect.

### Littlewoods not yet out of the woods

**S**ince James Ross took over

as chairman of the Littlewoods Organisation, Britain's biggest privately owned company has had an exciting time. It has had an on-off deal with Sears to take over the Freemans mail order business, and set about selling its chain of high street stores. But buyers prepared to take on a portfolio of barely profitable down-market shops have not been rushing to agree a price of around £500 million. It seems that the company is now considering whether to shelve the total sale plan and

seek a joint venture partner to become involved in running some of the stores.

This would certainly appease members of the Littlewoods family, some of whom were known to be opposed to a break-up of the business with the inevitable consequent job losses. Staff at the Liverpool-based chain have a rather better long-service record than in many rival retail businesses and some family members, notably John Moores, a former chairman of the group, have been highly reluctant to see such loyalty jettisoned.

But if James Ross is to find a suitable joint-venture partner, he may need to cultivate a more accommodating style than he is said to have exhibited in his Sears talks. With Storehouse and Kingfisher both being cited as potential partners, the former Cable and Wireless chief will need all the negotiating skills he can muster.

### Horlick watch

**NICOLA HORLICK** once opined that she must be the best known fund manager in the country. This is undeniably the case. It is debatable whether Société Générale deserves applause for its good sense in taking on such a high-profile individual or sympathy for what may ensue. But the firm would be well advised to ensure that doorkeepers at their head office in France see a photograph of the lady.

## C&W faces delay in talks with China

By ERIC REGULY

**C**ABLE and Wireless yesterday played down speculation that it would strike a deal with the Chinese Government over the future of Hongkong Telecom in time for the handover of the colony in July.

Dick Brown, chief executive, said: "There is no gun to our head... We don't feel compelled to be held to any date."

C&W hinted last month that it hoped to reach an agreement with the Chinese telecoms authorities by July. The delay does not seem linked to any new hurdles. "We're talking in earnest," he said.

C&W owns 58.5 per cent of Hongkong Telecom — the most valuable company in its global portfolio. It generates about two thirds of C&W's operating profits and makes up about three quarters of its market capitalisation.

The Chinese, with 7.7 per cent of Hongkong Telecom, want C&W to reduce its stake



Brown: no deadline

Tempus, page 28

### Investment boosts CU profits

By ADAM JONES

FIRST quarter pre-tax profits at Commercial Union rose to £102 million (£83 million), the insurer reported yesterday.

The figure, boosted by a £54 million increase in the amount of money realised from investments, fell in the middle of expectations and shares fell from 740½ p to 736½ p by mid-afternoon, exacerbated by the illiquidity of the stock.

Life assurance operating profits were £62 million, compared to £58 million in the first quarter of 1996. Adjusting for exchange-rate movements, the company said there was a 27 to 28 per cent underlying growth rate in life and pensions.

General insurance operating profits rose from £64 million to £67 million. The company said mild weather in the US and improved profitability in France and Australia more than compensated for increased general insurance competition in the UK.

Overall, premium income after reinsurance fell from £2.47 billion to £2.38 billion. At March 31, the group had £12 billion under management.

### Circle ends listing as bid agreed

By ERIC REGULY

**CIRCLE** Communications ended brief and troubled stint as a public company yesterday by accepting a £9.8 million takeover offer from Southern Star of Australia.

The Southern Star group is to pay 75p a share in cash for Circle, a television and cinema rights company. The offer represents an 11 per cent premium to Circle's closing price on Tuesday.

Circle came to the Alternative Investment Market last July at 170p a share. The shares initially rose, then plunged in February when the company sent out a profits warning and announced the departure of its finance director. Circle blamed delays in completing programming.

Peter Clark, Circle's chief executive, said: "The merged group has the potential to be a major player in the international rights business."

Circle's acceptance of the offer came as it reported pre-tax profit of £713,000 (£1.1 million) in the year to December 31. The shares closed up 7½ p to 75p.



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STOCK MARKET

CLARE STEWART

## Safeway shines as market ends record-setting run

LONDON'S record-breaking run faltered yesterday. After surging above 4,700 in the morning close to Tuesday's record levels, the market went into a sharp reverse as profit-taking and a futures-led retreat turned a 24-point gain into a 30-point deficit.

A strong opening on Wall Street, however, provided a valuable prop on a helterskelter day. By the close, the FT-SE 100 had rallied to end just 4.1 points adrift, at 4,686.9.

**Safeway** led the FT-SE 100 with a rise of 23½ p. to 354½ p., after pleasing the City with better than expected like-for-like sales for the first six weeks of the year. More positive noises from brokers on the stock helped other groups in the sector, with **Tesco** adding 7p. to 387p. and **Sainsbury** edging up 2½ p. to 380½ p.

**British Airways** took off, rising 3½ p. to 742½ p., helped by expectations of approval for its American Airlines deal, boosted by news of a global alliance of United Airlines and Lufthansa.

**BA** climbed 9½ p. to 534½ p., on April figures showing a 6 per cent increase in passengers, with more than eight million using its airports.

With the holiday season imminent, the City warmed to **Airtours**, which announced a 45 per cent drop in seasonal losses and strong summer bookings. The shares jumped 30½ p. to 974½ p., as analysts upgraded full-year forecasts.

**BP** saw some activity as rumours spread that the Kuwaiti Investment Office was looking to place its 9.3 per cent stake in the oil group. Nothing concrete emerged to support the suggestion, but **BP** ended 2p up, at 744½ p. with more than eight million shares traded. Shell shares ended 2½ p. lower, at £15.54, after the company's stormy AGM.

Profit-taking and disappointment at a lack of further news on the future of its 99 per cent stake in Hong Kong Telecom hit **Cable & Wireless**. 14p lower, at 498½ p. A 12 per cent rise in pre-tax profits, to £1.42 billion, was in line with expectations.

**BT** shares dipped 3p. to 449½ p. in spite of the European Commission giving conditional approval to the group's £1.2 billion merger with MCI to form the world's second-biggest telecom company.

Shares in mobile phone



David Webster, Safeway chairman, and Colin Smith, chief executive, saw their stock go up yesterday

groups were affected by concern about the impact of higher charges for rent of communications frequencies. Although **Vodafone** described the change as negligible, its shares ended down 6½ p. and **Grand Metropolitan** off 8½ p. to 567p. **Allied Domecq** ended 7½ p. lower, at 456½ p. down at 27p.

**Centrica**, the former trading arm of British Gas, moved up 2p. to 643p. after warning that full-year results will be hit by a poor perfor-

mance from its Two Dogs alcoholic lemonade brand.

**Imperial Tobacco** rose 2p. to 403½ p. after news of pre-tax profits of £143 million, in line with City forecasts. **Sage**, the computer services group, rose 1½ p. to 65p. after a 20 per cent rise in profits, to £19.3 million.

**Profit** warnings knocked **Datrontech** 49½ p. lower, to 160p. and AIM-quoted **Martin Shelton**, the diaries group, 1p lower, to 86½ p.

**Rockit & Colman**, the household products group, which has been on the end of bid speculation, put on 10p. to 405p. Its AGM was told that trading remains "robust".

**United Biscuits**, another name in the bid frame, rose 6½ p. to 228½ p.

Among second-liners, **T&N**, the engineering group, led the way, rising 8½ p. to 137p. on upbeat comments on trading.

Further consideration of results from **Danks Business Systems**, the photocopier group, lifted its shares 30p. to 597½ p. while **On Demand Information**, saw its price slide 1p. to a new low of 17½ p. after increased half-time losses.

Among media stocks, **Scotish Radio** rose 8½ p. to 405p. on news of record profits up 39 per cent to £45 million. **Capital Radio** was in demand ahead of results, putting on 15p. to 553½ p.

**Scottish Television** was sought after, rising 13½ p. to 697½ p. **Yorkshire Lyne Tees** also drew support, ending at 811.37p., up 22½ p.

**Circle Communications**, the AIM-listed television rights company, rose 8p. to 75p. on news of an agreed £8.3 million bid from **Southern Star**.

**Versatile**, a new entrant, ended at 4p. a 1p premium on its placing price.

□ **GILT-EDGED**: Uneventful trading saw the market testing higher levels but lacking the strength to push prices significantly higher. The June long gilt ended up 10½ p. to 8114½ p., on flatter volumes of 74,000 contracts. Longs had the edge with Treasury 8 per cent 2015 up 10p. to 8109½ p. In shorts, Treasury 8 per cent 2000 ended up 1p. to 8103½ p.

□ **NEW YORK**: Wall Street shares fell back from opening highs prompted by lower than expected April inflation data. At midday, the Dow Jones industrial average was up 37.91, at 7,312.12.



**TALK** of big deals afoot in the banking sector this week has provided added impetus to a sector that outperformed the market in recent months. **Abbey National**, said by some to be in HSBC's sights, fell back closing at 935p. off 22½ p. in the absence of any takeover activity.

In spite of some profit-taking in the sector, **Barclays** was in demand, on talk of restructuring at **BZW**, and moved up to a trading high of £12.77, before ending up 1p. to £12.53. **Royal Bank of Scotland** was also being bought, and added 7½ p. to

657p. by the close, while **Alliance & Leicester** rose 11p. to 613p.

Before the arrival next month of the Halifax traders expect the sector to remain buoyant. It is too early to start talking about taking profits, in spite of the recent rises, says one analyst. While the institutions remain underweight in the sector, there is further to go.

**Insurers** had a bumper ride with **Commercial Union**, **GRE** and **Legal & General** all squeezed by profit-taking.

Shares in mobile phone

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**N**early 12 years ago Michael Howard, then the bright new Consumer and Corporate Affairs Minister, put forward Conservative plans to clear up City scandals. They became the 1986 Financial Services Act. *The Times* welcomed them with a few caveats. Time has generally proved both the Act and the caveats right, though more reform is now due.

The biggest caveat for *The Times* and some others was over Clause 40 of the Bill, which excluded Lloyd's, London's 300-year-old insurance market. Many reasons were given. A relatively new regime of self-regulation had been introduced by the Lloyd's Act, meant to stamp out the fraud and insider trading of the 1970s. Lloyd's big overseas earnings were mentioned, along with the correct distinction that Lloyd's underwriting names were sole traders rather than investors.

Lloyd's was, perhaps, really excluded because its members considered themselves a cut above the general run of savers to be

protected by the Act. They did not want state-sponsored regulators poking their noses into Lloyd's private and usually lucrative world. Nor did the insurance market's professionals.

In the quest for exemption, they had influential allies, notably about four dozen MPs. Some saw Lloyd's as a place to make effortless high returns to supplement their pay. Others were barristers seeking, among other things, to defer penal tax bills. Among them was Mr Howard himself, who had stopped being an underwriting name when he became a minister.

Another was Ian Lang, later President of the Board of Trade but once a Lloyd's professional.

Most then thought that Lloyd's was over the worst. Agents were no longer fleeing justice to the comfort of their offshore bank accounts.

But far worse was to come. History will never tell whether the

malpractices that multiplied losses incurred by thousands of names in the 1990s would have been prevented if Lloyd's had been regulated under the FSA. The example of mass mis-selling of personal pensions does not suggest that many family fortunes would have been saved. But those affected might have had more faith in the timely and just treatment of their grievances and of those most responsible for them.

Tomorrow, the top brass at Lloyd's will therefore take a big psychological step when, barring last-minute hitches, they recommend that both names and the new corporate investors brought in to rebuild the market's capacity, should come under the gaze of the SIB. They want to retain internal regulation, but to beef this up and make it responsible to SIB like other second-tier regulators. This looks a better formula than that

adopted by the Stock Exchange, which lost most of its authority to other bodies. It would be an unlikely irony if Labour abandoned two-tier regulation just as Lloyd's finally asked to join.

Sadly, there are now only 12,000 names to protect, little more than a third of those trading when the Financial Services Act came into force. If the Lloyd's council agrees

other reforms to modernise the market, there will surely soon be 10,000 or fewer. Already, corporate underwriting names, introduced by the reforms recommended by Sir David Rowland just before he became chairman, account for 44 per cent of Lloyd's capacity. That may soon be more than half. Jonathan Agnew, who heads a committee drawing up the next set of reforms, is a former banker who heads a big corporate name. Commercial Union has bought into an underwriting group.

Perhaps it is no accident that

Lloyd's is now anxious to achieve a good rating among international agencies such as Standard & Poor's who decide which insurer is best able to meet claims.

They would raise the minimum wealth for a name from £250,000 to £350,000 by 1999. They would also force individual names to deposit more of their capital with Lloyd's, in effect slashing the amount of insurance they can write per pound of free wealth.

They could still underwrite more per pound than the limited liability vehicles, but not much.

More proposals in the pipeline

would abolish the annual underwriting account, which allows

names to move money in or out.

Permanent syndicates carry more

value with potential customers.

No wonder many names who

have paid up and hung on for

better days feel betrayed. Any

increase in minimum wealth for existing members should be phased in over a decade rather than two years. The council should also ensure that lower gearing does not force names to sell capacity at the same time. The interests of remaining names should at least be equal to the long-term future of Lloyd's.

The survival of Lloyd's was, however, something of a conjuring trick. The old Lloyd's died in the process, leaving a skeleton to be fleshed out to form a new trader to compete in a global market. This will lose the cost advantage of unlimited liability and rely on marketing. City finance and the concentration of expertise among surviving underwriters and brokers. Like the Stock Exchange, it will be in London rather than of London, dominated by large international interests.

New Lloyd's has even back-balled Mr Lang from replacing Sir David at the end of the year merely because he was a politician. Not cricket, but it was broke, so they had to fix it.

## Yes its new Labour, new Lloyd's



SIR COLIN MARSHALL  
CHIEF EXECUTIVE OF THE CBI

# Washington split on merits of North America's trade pact

**N**afta has revived old debates in the US, reports Bronwen Maddox

**H**obbling on clutching throughout his tour of Mexico last week, President Clinton may well have felt that the pursuit of free trade was proving unexpectedly sweaty work.

Mr Clinton, in a speech in the bougainvillea-draped garden of Ernesto Zedillo, the Mexican President, was preaching to the converted. Mexico strongly supports Mr Clinton's call for extension of the North American Free Trade Agreement (Nafta) between the US, Canada and Mexico to other countries on the American continent. However, Mr Clinton's critics are an apt symbol of the way his hopes are running ahead of the growing political constraints.

In the US, the question of whether Nafta has helped the US economy or cost it manufacturing jobs has provoked some of the fiercest battles between the White House and Congress this decade. Henry Kissinger, the former Secretary of State, has said that, if the US fails to extend Nafta, it will be left out of a new pan-American era. However, Nafta has also provoked a new protectionism within the US, splitting the Republican and Democratic parties. Ross Perot, in his 1996 bid for the White House, spoke of the "sucking sound" of investment pouring south of the border.

Outside the US, particularly in Europe, the Nafta experiment is also watched closely. Partly, the political dispute is a barometer of the US's protectionist instincts. Even more important, given the popularity of regional trade blocs, in Asia as well as Europe, Nafta provides one of the best ways of judging whether members really benefit.

Mr Clinton has repeatedly described the passage of Nafta in 1994 as one of the triumphs of his first term. It was intended not just to deepen economic relations with the US's neighbour-



President Clinton and President Zedillo of Mexico want to extend their countries' Nafta trade deal to other nations

bours, but, in a similar spirit to the EU, to cement political relations too. In lowering trade barriers with Canada, the pact was ambitious but not fundamentally contentious; including Mexico's developing economy, it provoked the most bitter trade debate within the US Government for 60 years.

In three years, that controversy has grown louder. Appalled Administration officials, watching the revival of a row they had thought settled, understandably blame the Mexican peso crisis.

Just ten days after the December 1994 Summit of the Americas, in Miami, in which Mr Clinton threw his weight behind calls for a pan-American trading bloc, the Mexican peso collapsed. The US rushed to pull together a \$50 billion international rescue package, itself extending a \$125 billion emergency loan.

Although the Mexican economy has rebounded and the US was repaid in full in January, the crisis gave unexpected support to Nafta's critics. However, two years later, stripping away the effects of the peso collapse, there are still signs that Nafta has worked as expected, although not quite

for the reasons that the Clinton Administration claims.

The Administration laid a trap for itself from the start by claiming that Nafta would increase the US's export surplus with Mexico. Equating exports with employment, it also claimed that Nafta would boost jobs. The Department of Commerce reckoned that each extra \$1 billion of exports would create 20,000 jobs. So, when US merchandise exports to Mexico rose by \$9 billion in 1994, the Administration

published by the Centre for Strategic and International Studies, a Washington think-tank. As he eloquently points out, the Bush and Clinton Administrations were lured into making spurious economic claims about benefits of Nafta to push the agreement through Congress. He argues, as do many independent economists, that the debate has taken a misleading tack in focusing on the trade balance.

There is, for a start, no automatic relationship be-

tween a rising value of exports and the number of jobs created; the link between imports and jobs lost is even more questionable. Nor should it be assumed that running a trade surplus each year is always desirable, as nationalists such as Mr Perot seem to do.

Contrary to the impression given by the political heat, Nafta is also small beer. Its effects are dwarfed by the wider economic conditions. The US ran a trade deficit with

Mexico for years after the Mexican recession of 1982, a reminder that the relative health of the two economies has far more effect than a trade pact on the balance of trade. Similarly, whatever the true effect of Nafta on jobs, it will have been overshadowed by the 2.25 million US jobs generated by the 1994 growth of the US.

Rather than looking at year-

to-year fluctuations in the balance of trade or counting jobs along the US-Mexican border, the better way to judge Nafta is by its effect on total trade in both directions, by the increase in investment, and by whether companies are beginning to act as if the region were a single economic whole. On all three counts, there is evidence that Nafta has worked as hoped.

In particular, the growth in two-way trade has been spectacular, with it shooting up from \$28 billion in 1980 to \$130 billion last year, and direct US investment in Mexico has grown several times from \$3 billion in 1994.

Critics and supporters of Nafta disagree hugely about

## Extending Nafta is set to dominate the White House race in 2000

claimed that Nafta had created 180,000 jobs.

That claim came back to haunt the Administration. When US merchandise exports to Mexico dropped by \$5 billion in 1995, in the wake of the peso collapse, opponents of Nafta promptly claimed that Mr Perot seemed to do.

These claims and counter-claims are "95 per cent rubbish", according to a study by Sidney Weintraub, a former State Department diplomat,

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## Bottled out

ONE casualty of the GrandMet/Guinness merger is a delightful sounding trip to Prague for 50 brokers and fund managers and a few journalists. They were to learn about how Guinness was selling Johnnie Walker and its like to the newly liberated east Europe. Lots of visits, chances to sample the stuff – you know the kind of thing, and a strong emphasis on United Distillers, the spirits arm. Except that it's been cancelled. Guinness says the lawyers nixed it, because every dot

and comma would have had to be cleared by them.

Nothing to do with the fact that one party who has not come out so well from the deal is Finn Johnson, managing director of United Distillers but definitely number two, under GrandMet's Jack Keenan, in the merged spirits side, renamed United Distillers & Vintners. No doubt Mr Johnson would have his own views to put to City folk – except that they will not now be hearing them.

ER, THERE seems to be some sort of mistake here. Winner of the RISK magazine poll as top provider of highly technical derivative instruments to companies is Deutsche Morgan Grenfell, where Gherkin Man Peter Young had his own wacky and place in a poll of more than 500 finance directors and treasurers went to, you guessed, NatWest Markets, fresh from its own £90 million losses trading interest derivatives.

## Shut out

HIGH drama at Investors Chronicle, hitherto such a dull publication. Long-serving journalist Conor Joyce was holed up in the office of the edi-



## CITY DIARY

tor, Ceri "Pol Pot" Jones, yesterday morning in protest at what he considered to be her brutal regime. Joyce, whom I dimly recall as a somewhat over-excitable member of the press pack, had to be whisked out by police from nearby Holborn Police Station. "He's gone," said Jones. "It's something that's been going on for a long time."

How long had he been there? "I can't remember," I press on, by now seriously worried – how many days had the poor man been barricaded in? When had he last eaten? But she was referring to his length of service. The protest lasted a couple of hours. It seems Joyce had already resigned, so what was it about? "Many things, I dare say, some of them of a very

personal nature. I know you're busy scribbling, I really can't help you further." Holborn police said none of that name had been arrested or charged, so it seems the matter ended with a fatherly chat. Here at *The Times* we keep a pair of water cannon handy for such eventualities.

FROM tonight we will be irritated by the latest advertising campaign by BT. The star, replacing Bob Hoskins and others, is a nine-year-old schoolgirl called Nicola Bland, who will ask, wide-eyed, why adults have to work so hard and why Daddy can't make it home for bath-time. All terribly guilt-inducing, but what of the doubtless idyllic home life of young Nicola? Her father, BT's mouthpiece will only say, "What is it, and when does he get home? Says the mouthpiece, in an unexpected moment of candour, "I think that's the question the ad agency are trying to avoid."

## Tactful silence

SIR Colin Marshall will be hoping that Gordon Brown will not have too sharp a memory when, as President of the Confederation of British Industry, he introduces the Chancellor at next week's CBI dinner. Though the British Airways chairman, to the surprise of some insiders, successfully sustained the CBI's policy of political neutrality

during the election, Centre Point officials recall that the head of one of the Tories' favourite companies took some of them by surprise by telling last year's dinner guest, John Major, that he hoped to see him back again at the dinner in two years' time.

By convention, Prime Ministers grace the CBI's annual Mayfair dinner once every two years, but the significance of Sir Colin's remarks was that come what may, an election would have to take place in the interim. So they were perhaps a little more enthusiastic than Sir Colin might care to remember as he next week glads-hands Labour's Chancellor.

MARTIN WALLER



Sir Colin Marshall has to greet Gordon Brown at the CBI dinner

## NOTICE OF VARIATION OF INTEREST RATES

With effect from 15 May 1997 our variable Mortgage rate will increase from 6.31% (6.5% APR) to 6.69% (6.9% APR) per annum for new borrowers and from

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# Imperial ready to fight ban on advertising

BY ALASDAIR MURRAY

**IMPERIAL** Tobacco Group said yesterday that it would like to see any further cigarette advertising restrictions kept voluntary.

The Government announced in the Queen's Speech that it is in start work immediately on a White Paper looking at measures to reduce tobacco consumption. It is aiming to pass legislation, including a ban on tobacco advertising, during the current session of Parliament.

But Gareth Davis, chief executive, said that existing voluntary restrictions had worked well in reducing the number of smokers in the UK. He added that Imperial would argue for the right to be

allowed to communicate with its customers, but was willing to talk to the Government over the content of its proposed White Paper.

Mr Davis's comments came as Imperial, which produces brands such as Regal, Embassy and John Player Special, announced its first set of interim results since demerging from Hanson last autumn. Half-year operating profits increased 5 per cent to £183 million in line with City expectations, while turnover rose 4 per cent to £1.94 billion.

Operating profits in the UK rose 3.5 per cent to £1.47 million. Imperial said that the rate of decline in the cigarette market had accelerated to 3 per cent because of duty rises which had taken the price of premium brand cigarettes above the psychologically important £3 per packet. But Imperial raised its market share to 38.4 per cent from 37.9 per cent because of a shift to cheaper brands including Lambert & Butler.

Profits from international businesses were up 13 per cent to £36 million. Imperial said Rizla, the cigarette paper company that was purchased for £185 million in January, was performing well. The company aims to make further cost savings by integrating the sales teams of the two companies with around 50 job losses.

Imperial's one blackspot was France, where sales fell 4 per cent after the cut-price launch of the Winfield brand by rival Rothmans.

Mr Davis added that the company was confident it would see off the 14 legal actions pending in this country. He said that legal aid has been refused in all the cases and Imperial currently has made no provision for losses.

A maiden interim dividend of 7.2p is payable by July 1. The shares closed up 2p at 403.1p.

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**Tempus**, page 28

## Bradford & Bingley lifts rates

BY ANNE AHWORTH

THE struggle between building societies converting into banks and those staying mutuals resumed yesterday when the Bradford & Bingley Building Society set its increased variable mortgage rate at 7.35 per cent, 0.25 per cent below the Halifax's rate.

The B&B, a committed mutual, has also lifted its savings rates, the first society to declare its hand in the summer savings war. Savings rates will rise by between 0.20 and 0.80 per cent from May 18. The Halifax has yet to announce its savers' rates to apply from June.

The rises in loan and savers' rates were triggered by last week's 0.25 per cent base rate rise.

Borrowers who have been with the B&B more than two years will pay a special 7.15 per cent rate.



Reflecting on success. David Goldman, left, chairman of Sage, and Paul Walker, chief executive, reported a 20 per cent rise in profit to £19.3 million (£16.1 million) in the six months to March 31. The soaring pound shaved £1.1 million from the figures. Sage said more than 60 per cent of its business is now generated from its existing client base. Earnings were 12p (9.92p) a share; an interim dividend of 0.97p (0.88p) is due on June 23.

## Optimistic outlook at Bank of Ireland

BY ADAM JONES

**BANK OF IRELAND**, the buyer of Bristol & West Building Society, reported a rise in 1996 pre-tax profits to £1.396 million from £1.316 million in the previous year. Pat Molloy, chief executive, said the outlook for further volume growth this year was good, despite continuing pressure on margins.

The performance was lifted by the end to restructuring in the bank's US operations, which held back the 1995 pre-tax profit figure with a £14.8 million exceptional charge.

Mr Molloy said: "The outlook and conditions in all the markets in which we are operating are good. It's a good time in the banking business." He said the £160 million Bristol & West deal had dented the bank's purchasing power, "a little", but it was still surveying growth opportunities.

The bank's London-listed share price has soared past 700p from about 130p under Mr Molloy's stewardship. It said profits at its retail division grew from £1.283 million to £1.204 million. Assets grew 6.8 per cent to £11.7 million.

Corporate and treasury profits were down slightly, from £1.75 million to £1.739 million, despite buoyant foreign exchange trading. Increased revenues from Lifetime Assurance, Davy stockbrokers and the bank's asset management arm, which now looks after £1.136 billion, helped to boost non-interest income by £14.6 million to £131.2 million.

Costs increased 4.4 per cent in the year, helping to push operating expenses up to £1.543 million (£1.520 million). The vesting date of Bristol & West is expected to be July 28. A dividend of 1.165p is proposed, making a total of 1.175p (£15.25p) for the year.

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## Bid favourite Westpac 13% ahead

FROM RACHEL BRIDGE  
IN SYDNEY

WESTPAC, one of Australia's big four banks, achieved a better than expected 13 per cent rise in operating profits, to A\$638 million (£319 million), its half year to March 31.

However, the bank, which is seen as one of Australia's prime targets for a takeover by

a UK or other non-Australian bank, said that pressure on margins may prevent it from doing as well in its second half. Robert Joss, managing director, said: "There's constant pressure on margins so there's a test to do the best we can on fees, on lowering costs and increasing efficiencies."

Mr Joss raised the possibility of Westpac holding a A\$500

million preference share issue as part of its A\$1.4 billion takeover of Bank of Melbourne, a regional bank, saying that it would be insurance to keep its balance sheet strong if a lot of Bank of Melbourne shareholders chose the cash option instead of Westpac shares.

Transaction fees and income from account-keeping rose to A\$379 million, from A\$306 mil-

lion in the same period last year, helping to lift overall non-interest income to A\$869 million (£471 million).

Analysts differ as to whether Westpac's agreed bid for Bank of Melbourne lessens or increases its appeal as a takeover target for an overseas bank. Some say it will be too big to swallow. Others say the deal improves its business spread.

## ACCOUNTANCY

## Audit committee can be boon

Those ensuring that the rules are obeyed could do so much more for their company, says Martyn Jones

**A**re audit committees yet another burden on businesses, or can they make a positive contribution beyond simply ensuring compliance with the rules? This is a question that, for many, remains to be answered.

Over the past decade, we have seen the arrival of audit committees in large UK companies and other organisations. Although audit committees were already part of corporate life, their introduction was accelerated by the Cadbury Committee recommendations. Compliance with those recommendations is now very high. What, however, should such committees do?

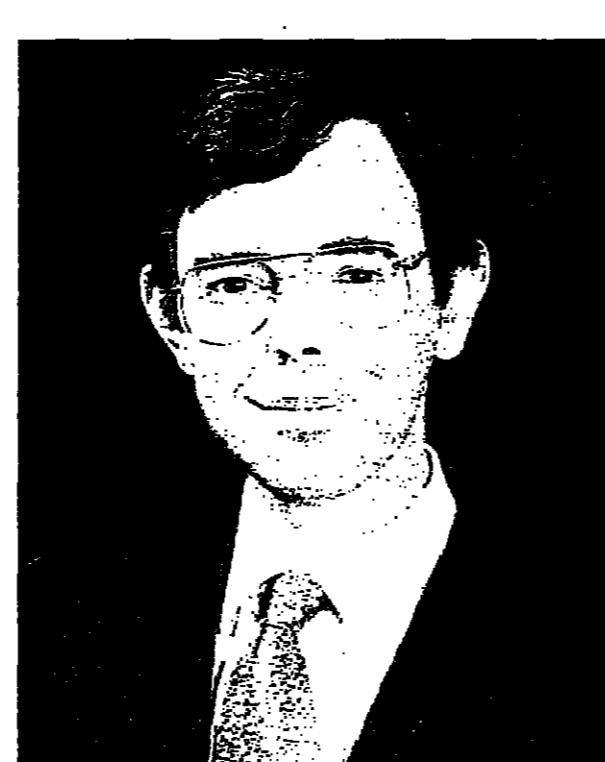
It is clear that commentators on the Hampel Committee's remit believe that any corporate governance framework should be such that it allows business to succeed without successful companies there would be nothing to govern. Because the audit committee is a cornerstone of the UK corporate governance system, a working party of the audit faculty of the Institute of Chartered Accountants in England and Wales was set up with a view to providing helpful guidance. The result of its work is a booklet Audit Committees — a Framework

for Assessment, which was published last week.

The working party has not tried to set out lists of rules for audit committees to follow; such a prescriptive approach would tend to encourage a "box-ticking" mentality leading to corporate governance in form, rather than in substance. Instead, a framework is provided for self-assessment of the committee's operation, accompanied by a picking list of good practice. As Yvonne Newbold says in a foreword to the booklet, some readers will find at least one item in the picking list that is new to them and some will find it sobering to see how far their committee's practices fall short of the ideal.

Because of the way that the working party approached its task, the framework is as relevant to smaller companies, not-for-profit organisations and the public sector as it is to our largest companies. However, the working party recognises that there is no single blueprint for success.

An underlying tenet of the booklet is that an audit committee is a committee of the main board and that it is the main board that is responsible for the direction and, ultimately, the management of the company. Recognition is given to the increasing trend in many large



Martyn Jones says audit committees need not be a burden

er companies for the board to delegate to the audit committee some oversight role in relation to internal financial control.

The booklet also recognises that the main board may increasingly use the audit committee's appreciation of business risk to assist its consideration of the wider aspects of internal control, including operational efficiency and effectiveness and compliance

with the law. This may take audit committees work beyond what have traditionally been considered financial areas.

The booklet suggests that, whatever the committee's role in the company, it should ask itself certain questions about its structure. These cover the appropriateness of its terms of reference, the selection and training of members, the frequency of meetings, the relevance of information available

to it, the adequacy of administrative support and the effectiveness of relationships with internal audit, external audit and executive management.

Having given guidance on setting up an audit committee that can make a positive contribution to a business, the booklet suggests questions to assist the committee in actually making such a contribution. These questions relate to business risk, internal control, fraud, financial statements and other documents (for example, profit forecasts), regulation and ethical matters.

Finally, the booklet suggests that an audit committee continually asks itself how it can improve its effectiveness as part of the system of checks and balances in the company's control environment.

This booklet is of relevance to all directors, not only members of audit committees. It will not, of itself, give rise to an audit committee that provides a positive contribution to a business, but it does distil much experience and make it available to those who wish to benefit. Not all companies will be at the leading edge; indeed many will choose to follow a broad consensus of practice. Other companies will recognise practical ideas that they can adopt or adapt.

So is an audit committee a burden or a benefit? It is up to the directors. With this booklet, it could be a real benefit.

□ Martyn Jones, of Deloitte & Touche, chairs the ICAEW audit faculty working party

## Hail to the referees of privatisation

**I**f you were to ask one of the prominent accountants of our time what the major economic breakthrough of the past half century has been, he would suggest privatisation. Indeed, he says as much in his introduction to research published today that provides the clearest view yet of the whole privatised utility market. Sir Bryan Carew, who has been head of Ofel, the telecommunications watchdog, and of the Office of Fair Trading, then goes on to argue that accounting lies at its heart. However, it is accounting that has been sadly misunderstood in all the battles that privatised utilities and their regulation have provoked.

The research, by Professor Irvine Lapsley and Kenneth Kilpatrick of Edinburgh University, is called *A Question of Trust: regulators and the regulatory regime for privatised utilities*, and has been funded and published by the Scots ICAEW, which deserves much praise for encouraging such useful and timely work.

Looking back at the old days of water boards and other utilities, it is amazing that so many were allowed to be so soulless and unproductive. The golden age of public service, worthy though the aims were, is here recalled as stagnation and waste. Successive governments were to blame. The problem with governments is that they want the kudos of running a thing but wish to avoid responsibility if anything goes wrong. Running nationalised industries was a fine example. As the research shows, ministers made fools of themselves by wanting both to be regulators of each industry and chairmen. They should have been neither. "The potential for tension between the minister, in his interpretation of general policy for a specific industry, and the responsibility of the state corporation's board for day-to-day management is evident," the research study says.

It quotes a telling point from a Commons committee for nationalised industries report, in 1968. "The ministry officials," it said, "are now attempting to examine projects in almost as much detail, and with much the same material before them and with the same questions in mind, as the industrial managers themselves." No wonder the system creaked to a halt.

And small wonder that when the industries were gradually freed from this yoke they were rather startled by independent regulators. It was, as the research study says, "a situation

fuelled by tensions by, on the one part regulators who are surprised at the nature of regulation, and, on the other, a set of regulators who are set to oversee the activities of regulators with certainty and conviction".

The bureaucracy was wounded and angry. The study quotes Jim McKinnon, the first gas regulator, on an encounter between himself and the British Gas board under Sir Denis Cooke. "Denis sat at the end of a long table," McKinnon said. "I sat to his right, facing four or five of his managers... I made my requests for detailed financial data... His managers all started jumping up and down in full macho fashion, tearing into me and my views. They thought this would impress Cooke. But he leaned across to them; they stopped and very quietly he said to them: 'Who are the public going to believe in five years' time - him or you?' And he told them to get on with providing me with the financial data I wanted."

The study follows utilities progress since those days and concludes that huge benefits have come from the change, though it is careful to point out that issues of executive pay are beyond the regulators' brief.

The real problem that the study pinpoints is a growing difference between the type of information on which such industries should be judged and the information on which the world tends to judge them. Regulators insist on striving towards real economic cost as a measurement. The rest of the world grabs whichever measurement suits its line of argument.

It is the old dispute between current cost accounting and historical cost. Current cost figures, which take into account adjustments for inflation and erosion of value, are the best way to assess long-term performance. However, companies almost always prefer to trumpet short-term gains, and the rest of the world loves to boast a political Aunt Sally. Historical cost figures give you a better chance of both of those. As the study says, "there is the important distinction between regulators focusing on financial results on a current cost basis as a better measure of the long-term financial performance of these utilities, and the capital markets, the media and other interested parties responding to their financial results on an historical cost basis".

Small wonder that Sir Bryan writes that he has "often thought that accounting lies at the heart of utility regulation".

## Tip of the iceberg

THE disclosure last week in the English ICA's annual report and accounts that Andrew Colquhoun, the chief executive, received £124,000 a year may only be the tip of the iceberg as far as the institute's treacherous members are concerned. Rumour has it that since the year-end a further hefty rise in salary has been granted. The hiring of a

## ANY OTHER BUSINESS

competent technical director from Arthur Andersen meant paying the fellow more than the chief executive. And that means an element of leapfrogging had to follow.

### Sikka's promise

MEMBERS' hearts sank to the bottom of their boots at the start of the Association of

Chartered Certified Accountants' annual meeting. Professor Prem Sikka, the indefatigable rebel, strode to the microphone at the first available opportunity. He urged the office-holders to behave with dignity and then said that he had a total of 35 questions to ask at the meeting. Thankfully, after skirmishes on the question of the president hav-

### Flare for diet

THE leadership at Grant

Thornton is taking the idea of lean business strategies to heart. Several have adopted a French diet system and have lost considerable amounts of weight. David McDonnell, who has recently been re-elected chairman, is finding he can now wear suits that had been hanging unused in his wardrobe for years. Rumour has it that he will be back in flares and wide lapels in a few weeks' time.

ROBERT BRUCE

## Prosecutors arrest Nomura executives

TOKYO prosecutors arrested three officials of Nomura, Japan's biggest securities brokerage, yesterday on suspicion that they illegally compensated a favoured client for trading losses. A criminal complaint, filed against them and Nomura on Tuesday by Japan's Securities and Exchange Surveillance Commission, alleges that, with Nomura's approval, the three illegally compensated Kojin Building, a property company operated by relatives of an accused extortionist, in 1995. It says the payments by executives Shimpachi Matsuki, Nobutaka Fujikura and Osamu Fujita, protected the client from Y49.7 million (about £245,000) in trading losses.

Matsuki, Fujikura and Hideo Sakamai, former Nomura President, are also named in a Y70 million class-action lawsuit filed on behalf of shareholders. The suit says they funnelled shareholders' money into a secret account from which stock trades were made on Kojin Building's behalf.

**Pemberstone purchase**

PEMBERSTONE, the residential property investment company, has agreed to acquire a portfolio of rented residential dwellings from Woolwich Assured Homes, a subsidiary of Woolwich Building Society, for about £12 million. The properties are located mainly in the South East of England. Separately, Pemberstone announced its formal offer for the shares it does not already own in South Eastern Recovery Assured Homes, valuing them at £4.83 million.

## Scottish Radio record

SCOTTISH RADIO reported record earnings as the group's new radio stations and newspapers achieved strong growth. Pre-tax profits in the half year to March 31 rose 39 per cent to £4.5 million on turnover up 37 per cent to £18.3 million. The interim dividend, to be paid on July 4, rises from 2.5p to 3p. The company said it intends to make more acquisitions. Baroness Jay of Paddington, a Scottish Radio director, has resigned after her appointment as Health Minister.

## Sanderson advances

SANDERSON ELECTRONICS, the computer services company, reported pre-tax profits of £3.5 million (£3.3 million) for the half year to March 31. It said trading had started positively in the second half. Turnover was £34.4 million (£30.6 million). Earnings were 5.9p a share (5.3p). The company, which sponsors both Southampton and Sheffield Wednesday football clubs, is paying a second interim dividend of 2.4p a share (2.1p). A first interim of 2.2p a share was paid on February 3.

## LucasVarity signs deal

LUCASVARTY, the Anglo-American engineering group, has signed a joint venture deal with Tianjin Engine Works in China. Initial investment in the joint venture, to be called Perkins Engines (Tianjin), will be £18 million. The venture will manufacture more than 50,000 engines a year in Tianjin, China's third largest city, by 2001 and expand to 120,000 engines a year. LucasVarity said it



# Shares on rollercoaster

**TRADING PERIOD:** Settlement takes place five business days after the day of trade. Changes are calculated on the previous day's close, but adjustments are made when a stock is ex-dividend. Changes, yields and price/earnings ratios are based on middle prices.

| 1997<br>High | Low  | Company          | Price | Yield | %    | P/E  |
|--------------|------|------------------|-------|-------|------|------|
| 459          | 457  | Airbus Industrie | 65.0  | -     | 7.66 | 14.4 |
| 537          | 537  | Bellway (H)      | 92.4  | -     | 3.2  | 12.4 |
| 75           | 37   | Burn Stewart     | 95.0  | -     | 7.3  | 14.6 |
| 102          | 102  | Camborne A       | 95.0  | + 10  | 3.5  | 15.1 |
| 163          | 163  | Camborne Ind     | 95.0  | -     | 3.5  | 15.1 |
| 213          | 213  | Camborne Min     | 95.0  | -     | 3.5  | 15.1 |
| 217          | 217  | Hopkins Ind      | 95.0  | -     | 3.5  | 15.1 |
| 238          | 238  | Hopkins Plastics | 95.0  | -     | 3.5  | 15.1 |
| 259          | 259  | Hopkins Tech     | 95.0  | -     | 3.5  | 15.1 |
| 325          | 325  | Hopkins Text     | 95.0  | -     | 3.5  | 15.1 |
| 349          | 349  | Hopkins Tech     | 95.0  | -     | 3.5  | 15.1 |
| 357          | 357  | Hopkins Tech     | 95.0  | -     | 3.5  | 15.1 |
| 367          | 367  | Hopkins Tech     | 95.0  | -     | 3.5  | 15.1 |
| 375          | 375  | Hopkins Tech     | 95.0  | -     | 3.5  | 15.1 |
| 387          | 387  | Hopkins Tech     | 95.0  | -     | 3.5  | 15.1 |
| 397          | 397  | Hopkins Tech     | 95.0  | -     | 3.5  | 15.1 |
| 407          | 407  | Hopkins Tech     | 95.0  | -     | 3.5  | 15.1 |
| 427          | 427  | Hopkins Tech     | 95.0  | -     | 3.5  | 15.1 |
| 437          | 437  | Hopkins Tech     | 95.0  | -     | 3.5  | 15.1 |
| 457          | 457  | Hopkins Tech     | 95.0  | -     | 3.5  | 15.1 |
| 467          | 467  | Hopkins Tech     | 95.0  | -     | 3.5  | 15.1 |
| 477          | 477  | Hopkins Tech     | 95.0  | -     | 3.5  | 15.1 |
| 487          | 487  | Hopkins Tech     | 95.0  | -     | 3.5  | 15.1 |
| 497          | 497  | Hopkins Tech     | 95.0  | -     | 3.5  | 15.1 |
| 507          | 507  | Hopkins Tech     | 95.0  | -     | 3.5  | 15.1 |
| 517          | 517  | Hopkins Tech     | 95.0  | -     | 3.5  | 15.1 |
| 527          | 527  | Hopkins Tech     | 95.0  | -     | 3.5  | 15.1 |
| 537          | 537  | Hopkins Tech     | 95.0  | -     | 3.5  | 15.1 |
| 547          | 547  | Hopkins Tech     | 95.0  | -     | 3.5  | 15.1 |
| 557          | 557  | Hopkins Tech     | 95.0  | -     | 3.5  | 15.1 |
| 567          | 567  | Hopkins Tech     | 95.0  | -     | 3.5  | 15.1 |
| 577          | 577  | Hopkins Tech     | 95.0  | -     | 3.5  | 15.1 |
| 587          | 587  | Hopkins Tech     | 95.0  | -     | 3.5  | 15.1 |
| 597          | 597  | Hopkins Tech     | 95.0  | -     | 3.5  | 15.1 |
| 607          | 607  | Hopkins Tech     | 95.0  | -     | 3.5  | 15.1 |
| 617          | 617  | Hopkins Tech     | 95.0  | -     | 3.5  | 15.1 |
| 627          | 627  | Hopkins Tech     | 95.0  | -     | 3.5  | 15.1 |
| 637          | 637  | Hopkins Tech     | 95.0  | -     | 3.5  | 15.1 |
| 647          | 647  | Hopkins Tech     | 95.0  | -     | 3.5  | 15.1 |
| 657          | 657  | Hopkins Tech     | 95.0  | -     | 3.5  | 15.1 |
| 667          | 667  | Hopkins Tech     | 95.0  | -     | 3.5  | 15.1 |
| 677          | 677  | Hopkins Tech     | 95.0  | -     | 3.5  | 15.1 |
| 687          | 687  | Hopkins Tech     | 95.0  | -     | 3.5  | 15.1 |
| 697          | 697  | Hopkins Tech     | 95.0  | -     | 3.5  | 15.1 |
| 707          | 707  | Hopkins Tech     | 95.0  | -     | 3.5  | 15.1 |
| 717          | 717  | Hopkins Tech     | 95.0  | -     | 3.5  | 15.1 |
| 727          | 727  | Hopkins Tech     | 95.0  | -     | 3.5  | 15.1 |
| 737          | 737  | Hopkins Tech     | 95.0  | -     | 3.5  | 15.1 |
| 747          | 747  | Hopkins Tech     | 95.0  | -     | 3.5  | 15.1 |
| 757          | 757  | Hopkins Tech     | 95.0  | -     | 3.5  | 15.1 |
| 767          | 767  | Hopkins Tech     | 95.0  | -     | 3.5  | 15.1 |
| 777          | 777  | Hopkins Tech     | 95.0  | -     | 3.5  | 15.1 |
| 787          | 787  | Hopkins Tech     | 95.0  | -     | 3.5  | 15.1 |
| 797          | 797  | Hopkins Tech     | 95.0  | -     | 3.5  | 15.1 |
| 807          | 807  | Hopkins Tech     | 95.0  | -     | 3.5  | 15.1 |
| 817          | 817  | Hopkins Tech     | 95.0  | -     | 3.5  | 15.1 |
| 827          | 827  | Hopkins Tech     | 95.0  | -     | 3.5  | 15.1 |
| 837          | 837  | Hopkins Tech     | 95.0  | -     | 3.5  | 15.1 |
| 847          | 847  | Hopkins Tech     | 95.0  | -     | 3.5  | 15.1 |
| 857          | 857  | Hopkins Tech     | 95.0  | -     | 3.5  | 15.1 |
| 867          | 867  | Hopkins Tech     | 95.0  | -     | 3.5  | 15.1 |
| 877          | 877  | Hopkins Tech     | 95.0  | -     | 3.5  | 15.1 |
| 887          | 887  | Hopkins Tech     | 95.0  | -     | 3.5  | 15.1 |
| 897          | 897  | Hopkins Tech     | 95.0  | -     | 3.5  | 15.1 |
| 907          | 907  | Hopkins Tech     | 95.0  | -     | 3.5  | 15.1 |
| 917          | 917  | Hopkins Tech     | 95.0  | -     | 3.5  | 15.1 |
| 927          | 927  | Hopkins Tech     | 95.0  | -     | 3.5  | 15.1 |
| 937          | 937  | Hopkins Tech     | 95.0  | -     | 3.5  | 15.1 |
| 947          | 947  | Hopkins Tech     | 95.0  | -     | 3.5  | 15.1 |
| 957          | 957  | Hopkins Tech     | 95.0  | -     | 3.5  | 15.1 |
| 967          | 967  | Hopkins Tech     | 95.0  | -     | 3.5  | 15.1 |
| 977          | 977  | Hopkins Tech     | 95.0  | -     | 3.5  | 15.1 |
| 987          | 987  | Hopkins Tech     | 95.0  | -     | 3.5  | 15.1 |
| 997          | 997  | Hopkins Tech     | 95.0  | -     | 3.5  | 15.1 |
| 1007         | 1007 | Hopkins Tech     | 95.0  | -     | 3.5  | 15.1 |
| 1017         | 1017 | Hopkins Tech     | 95.0  | -     | 3.5  | 15.1 |
| 1027         | 1027 | Hopkins Tech     | 95.0  | -     | 3.5  | 15.1 |
| 1037         | 1037 | Hopkins Tech     | 95.0  | -     | 3.5  | 15.1 |
| 1047         | 1047 | Hopkins Tech     | 95.0  | -     | 3.5  | 15.1 |
| 1057         | 1057 | Hopkins Tech     | 95.0  | -     | 3.5  | 15.1 |
| 1067         | 1067 | Hopkins Tech     | 95.0  | -     | 3.5  | 15.1 |
| 1077         | 1077 | Hopkins Tech     | 95.0  | -     | 3.5  | 15.1 |
| 1087         | 1087 | Hopkins Tech     | 95.0  | -     | 3.5  | 15.1 |
| 1097         | 1097 | Hopkins Tech     | 95.0  | -     | 3.5  | 15.1 |
| 1107         | 1107 | Hopkins Tech     | 95.0  | -     | 3.5  | 15.1 |
| 1117         | 1117 | Hopkins Tech     | 95.0  | -     | 3.5  | 15.1 |
| 1127         | 1127 | Hopkins Tech     | 95.0  | -     | 3.5  | 15.1 |
| 1137         | 1137 | Hopkins Tech     | 95.0  | -     | 3.5  | 15.1 |
| 1147         | 1147 | Hopkins Tech     | 95.0  | -     | 3.5  | 15.1 |
| 1157         | 1157 | Hopkins Tech     | 95.0  | -     | 3.5  | 15.1 |
| 1167         | 1167 | Hopkins Tech     | 95.0  | -     | 3.5  | 15.1 |
| 1177         | 1177 | Hopkins Tech     | 95.0  | -     | 3.5  | 15.1 |
| 1187         | 1187 | Hopkins Tech     | 95.0  | -     | 3.5  | 15.1 |
| 1197         | 1197 | Hopkins Tech     | 95.0  | -     | 3.5  | 15.1 |
| 1207         | 1207 | Hopkins Tech     | 95.0  | -     | 3.5  | 15.1 |
| 1217         | 1217 | Hopkins Tech     | 95.0  | -     | 3.5  | 15.1 |
| 1227         | 1227 | Hopkins Tech     | 95.0  | -     | 3.5  | 15.1 |
| 1237         | 1237 | Hopkins Tech     | 95.0  | -     | 3.5  | 15.1 |
| 1247         | 1247 | Hopkins Tech     | 95.0  | -     | 3.5  | 15.1 |
| 1257         | 1257 | Hopkins Tech     | 95.0  | -     | 3.5  | 15.1 |
| 1267         | 1267 | Hopkins Tech     | 95.0  | -     | 3.5  | 15.1 |
| 1277         | 1277 | Hopkins Tech     | 95.0  | -     | 3.5  | 15.1 |
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| 1297         | 1297 | Hopkins Tech     | 95.0  | -     | 3.5  | 15.1 |
| 1307         | 1307 | Hopkins Tech     | 95.0  | -     | 3.5  | 15.1 |
| 1317         | 1317 | Hopkins Tech     | 95.0  | -     | 3.5  | 15.1 |
| 1327         | 1327 | Hopkins Tech     | 95.0  | -     | 3.5  | 15.1 |
| 1337         | 1337 | Hopkins Tech     | 95.0  | -     | 3.5  | 15.1 |
| 1347         | 1347 | Hopkins Tech     | 95.0  | -     | 3.5  | 15.1 |
| 1357         | 1357 | Hopkins Tech     | 95.0  | -     | 3.5  | 15.1 |
| 1367         | 1367 | Hopkins Tech     | 95.0  | -     | 3.5  | 15.1 |
| 1377         | 1377 | Hopkins Tech     | 95.0  | -     | 3.5  | 15.1 |
| 1387         | 1387 | Hopkins Tech     | 95.0  | -     | 3.5  | 15.1 |
| 1397         | 1397 | Hopkins Tech     | 95.0  | -     | 3.5  | 15.1 |
| 1407         | 1407 | Hopkins Tech     | 95.0  | -     | 3.5  | 15.1 |
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| 1457         | 1457 | Hopkins Tech     | 95.0  | -     | 3.5  | 15.1 |
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| 1477         |      |                  |       |       |      |      |

THE TIMES THURSDAY MAY 15 1997

## Court of Appeal

Law Report May 15 1997

## Conjectural categories permissible

*Regina v Commissioners of Inland Revenue, Ex parte Ulster Bank Ltd*Before Lord Justices Simon Brown, Lord Justice Mostyn and Sir Brian Neill  
Judgment May 1

The decision ismissible in a notice under section 20(8A) of the Taxes Management Act 1970, given by the Inland Revenue to a third party for a production of documents in its possession or power which was relevant to another person's liability, was not restricted in the which excluded classes of categories of documents which were conjectural rather than actual.

The Court of Appeal so stated, inter alia, discussing an application by Ulster Bank for judicial review of a decision recorded in a letter dated June 1996 whereby the Revenue notified the bank that it intended to apply to the special commissioners for a warrant to issue a notice of a production of documents in its possession or power which was relevant to another person's liability, was not restricted in the which excluded classes of categories of documents which were conjectural rather than actual.

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The proposed action 20(8A) notice sought production of "all bank statements [other record sufficient to identify each transaction on the same parties] accounts for the period 12 October 1979 to 12 April 1991." The customers' record "or other record of such transaction in respect of such transaction in excess of £1,000" name and address of each party on whose behalf the transaction was effected.

Mr David Golding, QC and Mr George Legge QC for the bank; Mr Timothy Branan for the Revenue.

LORD JUSTICE MORRITT said that the relevant legislation was contained in Pt III of the 1970 Act. The material sections were substantially amended by the Finance Acts 1976, 1983, 1989 and 1994.

Section 20 confined itself to the Revenue wide power call for the

documents of taxpayers and others. Subsections (1) and (2) deal with the production of documents with information by the taxpayer himself. Subsection (3) deals with the production to the Revenue by a third party of documents in his possession or power relevant to another person's liability for tax.

Subsection (7) provided that a notice under subsection (3) should not be given except with the consent of a general or special commissioner. Subsection (8) required that subject as provided in subsection (8A), a notice given under subsection (3) should name the taxpayer with whose liability to the Revenue was concerned. Subsection (9A) enabled a notice under subsection (3) to be given without naming the taxpayer concerned if a special commissioner gave his consent.

It was apparent that the issue between the parties, namely whether such a notice was permissible, would depend on the correctness or otherwise of the decision of Mr Justice Ferris in *R v O'Kane, Ex parte Northern Bank Ltd* [The Times October 3, 1996] 2006 STC 1249. In that case, the judge had concluded that section 20(3) did not authorise a notice which required the production of information otherwise than in the form of a document.

He also held that the subsection did not authorise a notice to be given "in respect of conjectural, as distinct from actual, documents" because the recipient of the notice would have to search his records to ascertain whether he had any documents answering the description rather than merely producing the document as specified or power in the notice.

His Lordship agreed that notices given under subsection (8A) were but a subset of notices which might be given under subsection (3). His Lordship also agreed that a notice under both those subsections might only seek the production of documents.

There was no power to seek particulars or information such as was included in subsections (1) and (2). But it did not follow from the limitation on the powers conferred by subsections (3) and (8A) that the Revenue was not entitled to such information as might be derived.

Mr Michael Bloch for the fifth and sixth defendants; Mr Kenneth MacLean for the first plaintiff.

An application for costs against the plaintiff, resident in Portugal, by the other defendants in 1996 had failed on the ground that he was resident in the European Union.

The plaintiff refused disclosure. On April 21 the defendants applied for an order for disclosure of the identity of the funder. The plaintiff put in no evidence but challenged the court's jurisdiction and relied on deficiencies in the defendants' case.

On jurisdiction, it was common ground that if the defendants succeeded at trial and costs were ordered against the plaintiff, they would be liable for the defendants' costs but extended to funding by a third party who would not be bound by the defendants' costs awarded at trial.

It followed that the court had power to order disclosure of the persons funding the plaintiff's action where there was a genuine doubt as to whether the plaintiff was personally paying the costs of the action and whether he or any third party funding would meet any costs order made in the defendant's favour against the plaintiff at trial.

Concern arose as to whether the plaintiff was paying his own legal costs and whether he would be bound for the defendants' costs if ordered to pay them at trial.

On March 26, the defendants' solicitors asked for disclosure of the identity of the person funding the plaintiff's legal costs, stating that if the funder were not resident in the European Union an application

from the documents which were produced as answering to a description set out in the notice.

If the description was permissible the Revenue was entitled to such information as might result from use; if it was not permissible the Revenue would obtain neither the document nor the information. In that respect, there was no disagreement with the conclusion of Mr Justice Ferris in *R v O'Kane, Ex parte Northern Bank Ltd*.

His Lordship did not accept that the documents to which the notice related had to be limited to those which were known by the Revenue to be in the possession or power of the person to whom the notice was given at the time it was given.

The bank contrasted the wording of subsection (3) that "the documents ... are in my possession or power" with that of other provisions which indicated that they might be. Such other provisions included section 20(8D).

In His Lordship's judgment, the submission involved a misreading of the subsection. The notice, if valid, cast an obligation on the recipient; the obligation so imposed was to produce documents to which the obligation extended were such documents as are in his possession or power otherwise than in the form of a document.

He also held that the subsection did not authorise a notice to be given "in respect of conjectural, as distinct from actual, documents" because the recipient of the notice would have to search his records to ascertain whether he had any documents answering the description rather than merely producing the document as specified or power in the notice.

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*Northern Bank* Mr Justice Ferris called "conjectural" documents. The bank supported and adopted the analysis and application of the principle stated by Mr Justice Ferris (at pp 261-262).

The Revenue now contend that Mr Justice Ferris was wrong in section 20(3) notice as a "mere witness" and to place the limitations on the meaning of the words in section 20(8D) "specified or described" apparent from his judgment.

The expression "mere witness" appeared to have been adopted by Mr Justice Ferris to describe third parties who were under no obligation to give discovery of documents whether under Order 24 of the Rules of the Supreme Court or otherwise. No doubt it was a convenient expression for that purpose. But his use gave rise to the risk of diverting attention from the statutory provisions to be applied in section 20(8D).

In His Lordship's view, the question was one of the true construction of the words "specified or described" in section 20(8D). That question could only be resolved by a consideration of the context in which the words were used and the purpose of the statutory powers of which they formed part of an express condition.

It did not assist that process to start from a categorisation such as "a mere witness", although the broad general principle applicable to those within a category might help to resolve an ambiguity in the specific case.

The word "described" was wider than the word "specified"; it concerned the recitation of the characteristics of that which was referred to rather than its details or particulars. Thus it was appropriately used for the indication of classes or categories of documents as opposed to a single document.

The context in which the words were used was that of an inquiry by the Revenue into the tax liability of a person and a desire to obtain documents relevant to that liability.

The words appeared in a subsection, 8D, which was as applicable to notices served by the Revenue on the relevant taxpayer

under subsections (1) and (2) as it was to notices served on third parties under subsections (3) or (8A). Thus the words bore the same meaning in both contexts.

Further, an effective notice could not be issued under subsections (3) or (8A) without the consent of the special commissioner and a notice under subsection (8A) was subject to the further safeguard provided for in subsection (8B).

The consent of the special commissioner was also required under section 20(8D) if it was sought to compel the production of a document more than six years old.

In His Lordship's view, it could not have been the intention of Parliament, in those circumstances, to restrict the description available in a notice under subsections (3) or (8A) which excluded classes or categories of documents which were not known to exist or to be in the possession or power of the recipient of the notice and obvious to that extent conjectural.

The possibility could not be ruled out that the trial court, after full investigation, might have considered it essential to allow the plaintiff a restitutary remedy to do full justice as between him and the defendants.

The Court of Appeal so stated in dismissing an appeal by the plaintiff, Frederick Thomas Brennan, against Mrs Justice Smith who on October 24, 1995, had allowed the appeal of the defendants, Brighton Borough Council, against the decision of a district judge and ordered, following the plaintiff's application for leave to amend the statement of claim struck out, second, that, in any event, the summons and statement of claim be struck out as disclosing no reasonable cause of action.

Mr David Foskett, QC and Mr David Hodge for the plaintiff; Mr David Mathias and Mr William Bojczuk for the defendants.

LORD JUSTICE PILL said that the dispute arose as a result of the plaintiff's involvement in a tennis centre in Brighton now owned and operated by the defendants.

Lord Justice Simon Brown and Sir Brian Neill agreed.

Solicitors: Travers Smith Brail掌上风; Solicitor: Inland Revenue.

The plaintiff identified the potential of a stadium, used by the Brighton Squash Rackets Club on land owned by the defendants, as a tennis centre. The plaintiff held discussions with representatives of the defendants.

Lord Justice Simon Brown and Sir Brian Neill agreed.

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THE TIMES THURSDAY MAY 15 1997

## ■ THEATRE

The ravishing visual effects of Disney's *Beauty and the Beast* light up the West End

## ■ RADIO

A class by himself: why Jimmy Young fronts the best presenter-led programme around

## THE TIMES ARTS

## ■ VISUAL ART

Old Master: work by Frans Hals is one of the highlights of the Fine Art Fair in New York

## ■ TOMORROW

Meet America's Alison Krauss, the woman who is bringing fiddle and banjo into the mainstream

THEATRE: Spectacular effects enhance London's newest musical; plus an Irish mythic soap opera

# Dazzled by a feast of a beast

**S**ince the Gay Organisations' entertainment awards are to modern warfare, the chances of its *Beauty and the Beast* failing are about as same as the Pentagon being visited by Lapland or China's old fairytale is smoother than it should properly be, and most of the music is a sort of off-tape-hiss though of the £10 million-plus budget has been spent on special effects to ensure that, if your brain-cells begin to zone away, your ear-drums to tingle and your eyes will remain raptured.

So certain is the show's conquest of the Dominion boffins that it seems vain to complain that the

### Beauty and the Beast

Dominic

scenic ado tends to nice nonsense of the story. You can understand why Julie-Alannah Brighten's Belle, who loves nothing more than to read Arthurian romances, feels an outsider amid the pygmy hills and wee gables of her Burundian homestead. Most of us would weary of a village where the fishmongers, pie-sellers, milkmaids and lady-sippers mill about taking visible pleasure in being "little people" waking up to say "bonjour". But why do she even momentarily fret at tritely in a castle whose innards wonderfully mix Charlemagne, the Paris Opéra and Norma Desmond's Sunset Boulevard hideaway?

Moreover, she has try to feel a little uneasy or hungry or Butler dressed as a chamberlain and a housekeeper half-transformed into a teapot to bring on a somersaulting cushion a dancing corkscrew, a swaying strainer and other such improbable comforts. Soon the fun has escalated into a huge products number, with spoons, knives and plates whirling about in a vit circle of red hearts and purplest delis, while champagne bottles spray glittering dust into the air. The cuteness, glad to say comes to a halt with a teacup call Chip who yearns only to become real boy.

Mark you, the cast also contains Alasdair Harvey's Beast, a hirsute, horned blend Godzilla, Pan and Mr Rochester who roars a bit noisily and leaps over rudely round the room furniture. But it takes only a little abiding by Beauty to transform into a mawkish softy without table manners and a bashfulness. And so, via some lightning wrestling with the villain on the Gothic battlements, to a reprise of the teapot lady's song about as old as time, songs as old as rhyme Brighten's Belle — the fair, a sweet and charming advertisement for moral improvement and dental floss — gets her cleanup Beast.



Julie-Alannah Brighten's Belle — "a charming advertisement for moral improvement and dental floss" — cuddles up to Alasdair Harvey's Beast in the Disney extravaganza

Alan Menken composed, the pleasant if immemorable tunes. Tim Rice and Howard Ashman wrote lyrics that are at their best when Belle's village woos, in Burke Moses's performance a gloriously narcissistic blend of a lacquered Elvis Presley and a jerkined Robin Hood, is telling her how much she loves him: "All roads lead to the best things in life, all's well that ends with ME." But otherwise the show is mainly to be recommended for Stanley Meyer's witchy woods and grand but shadowy stairways, and for the moment when Harvey rises into the air as a beast, spins like a flying saucer on the blink, and lands a prince. However banal the story-telling, that climax is magic.

BENEDICT NIGHTINGALE

This review appeared in late editions of The Times yesterday

# Flat start for council tenants

Mrs Sweeney  
Project at the Mint,  
Dublin

POET Paula Meehan's tale of desperate days in the life of a group of council flat-dwelling Dubliners makes a stark contrast to the middle-class angst of *Halloween Night*, Rough Magic's previous production. Setting aside the worries of film-makers, graphic designers and failed writers, the company instead deals here with the realities of crime, drug addiction and a man who thinks he is a bird.

Despite clear provocation when her husband (Mick Nolan) starts cooing like a pigeon, Mrs Sweeney (Ger Ryan), whose daughter has recently died from Aids, refuses to see another one of

her charges institutionalised. Instead she attempts not simply to put up with him, but somehow to integrate his pigeon-walking insanity into the life of Maria Gorretti Mansions, to let his loyal friend, Owen (Anto Nolan), take him down the local, and even encourage him to incorporate him into their carnivalesque Halloween celebrations.

Kathy Mc Ardle's production is similarly brusque, never really giving itself enough time to work out what in Meehan's script is worth having and what should be left where it is. Instead, it seems to stuff everything into a bursting swagbag and make a break for

the nearest window. At one time or other, almost all the cast looked as though they feared being arrested for this imaginary crime.

Meehan's text is a rich, sophisticated amalgam of soap opera and Irish myth, full of sophisticated allusions to everything from *On the Waterfront* to *Juno and the Paycock*. No amount of subtle writing will compensate when cast and director have not come to grips with the material's potential. Meehan could develop into an intriguing playwright. But for now her play has been too harshly punished by a shaky production.

LUKE CLANCY

## RADIO

What Young does is to front the best presenter-led programme in radio and where he does it is on Radio 2, every weekday morning for two hours. The format is a mix of music and interviews. On various days there are consumer slots on health, travel, food and the law.

The programme has been running since 1972 but it started on Radio 1 six years earlier, by which time Young was already in middle age: he had first broadcast in 1949. His age, now, is officially 72 but the year of his birth is a secret kept from Who's Who.

Although it might reasonably be supposed that Young's success is assisted by a light Gloucestershire brogue and an ability to chortle with the best of them, his core secret is that he seems to have turned the trick of talking directly to, and for, the individual listener.

He combines this under-rated ability with a hard edge. Young has interviewed every Prime Minister since, and including, Harold Wilson. During the recent election campaign, his interview with Tony Blair abandoned the obtuse cleverness that most political journalists tend to go for. Instead it cut to the chase. Young's first question had the blunt common touch that characterises his technique: "If the Tories have been such a disaster, why are you adopting so many of their policies?"

The line was pursued with a relentlessness that clearly discomfited Mr Blair, and I know of three political writers who regarded the interview as one of the best of the campaign. It demonstrated that Young does not survive on experience alone: he is thoroughly researched, a habit not found everywhere on the airwaves.

Young is undoubtedly the best argument against ageism in radio and it is fervently to be hoped that in attempting to lower the age profile of the Radio 2 audience, James Moir, the Controller, leaves the 11.30am slot alone. Young has 1.5 million listeners a day, which is not a bad life insurance policy.

PETER BARNARD

# Selling for fistfuls of dollars

VISUAL ART: John Russell

Taylor surveys New York's annual twin attractions in May

**F**or most of the year it is arguable which is the art capital of the world. But there can be little doubt for the first two weeks of May, New York is the challenged contender. This is because of the biannual fair of the Museum of Modern Art Fair and the important Impressionist sale at Sotheby's and Christie's, which generally goes on the fair's second week. For these two the collectors and dealers of the world congregate, conscious that the eyes of the world are upon them.

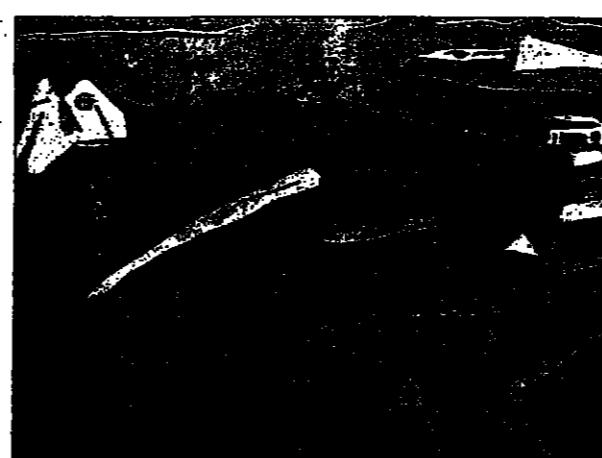
The Fine Art Fair is a relatively recent institution: this year's is only the fourth. But in that short time it has established itself as the big draw, no means the biggest, far and away the most select and loftily priced; with works offered at more than a million dollars (or even more) on most stands. Interestingly, while virtually every comparable fair seems to aim at less extension, New York becomes more and more select: this year there are only 65 dealers showing, as against 11 last



John Singer Sargent's 1914 *Portrait of Sylvia Harrison*

*a Snow, Avenue du Maine, Paris* (1892) at Hirsch and Adler, as fine a piece of luminist painting as you could wish to see; the masterly late Sargent portrait of Sylvia Harrison with the Adelson Galleries; and, perhaps most

striking of all, the stunning display of American fauvists, divided between the fair and Hollis Taggart's nearby 73rd Street Gallery, which includes notably Morgan Russell's dazzlingly coloured *Etude d'Après Matisse* of 1909-1911, an aston-

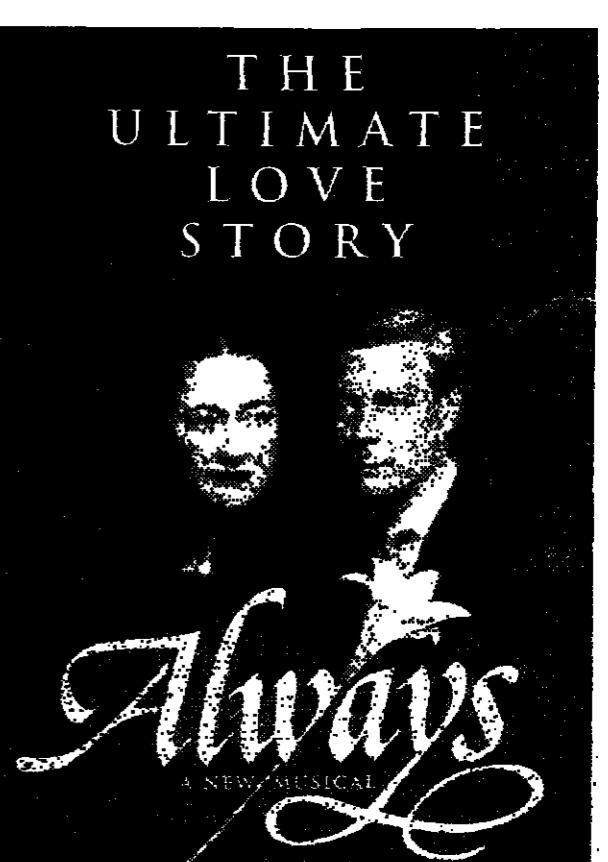


Joan Miró's masterful *Paysage Animé* (1935)

ishingly early witness to American Modernism from at least a couple of years before the Armory Show, which officially introduced such dangerous Europeans as Matisse to the American public.

All the same, the main excitements of the fair, as usual, are to be found among the Old Masters and the Impressionists. Though there are some excellent Impressionists, notably Renoir and Monet, in this area it is mainly the lesser-known figures that attract attention — Henri Lebasque, Louis Valtat and Charles Camoin, not to mention Manet's pupil Eva Gonzales, whose *On the Beach* (Galerie Berès) is perhaps the finest piece of classic Impressionism in sight. However, for the real cream of Impressionism, collectors with several millions to spare had to wait for Christie's May sale of the Loeb Collection, which included world-famous Cézanne, Toulouse-Lautrec and Manet's definitive *Self-Portrait with Palette*; the Matisse went for \$18.7 million, and Cézanne's portrait of his wife brought the sale's top price of \$23.1 million.

As for the Old Masters, there can be no reservations. From the Masolino *St John the Baptist* with Bob P. Haboldt to Tiepolo's *Martyrdom of San Lorenzo* with Rosenberg and Stiebel (New York dealers both), Italian art is superbly represented. The Netherlands do about as well, high points being Norman's pair of husband-and-wife portraits by Frans Hals, the finest work by this master to come on the market for some years, and Jan Steen's *Dancing Couple on a Terrace*, with Richard Green. Those in search of rarity should be well satisfied with a virtually unique Redouté flower piece in oils, recently rediscovered and offered by John Mitchell, or for that matter Spink-Leger's Gainsborough, *Mr and Mrs Philip Dehane with their daughter Mary*, thought to be the only Gainsborough full-length group still in private hands. When rarity and quality come combined like this, you get a real feeling of what art fairs are for.



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## ■ FILM 1

Ewan McGregor may have hit the cinematic big time, but he got his start in an 11-minute short



## ■ FILM 2

At the Cannes Film Festival, Ingmar Bergman delves into his parents' past in *Private Confessions* ...



## ■ FILM 3

... while Sigourney Weaver heads an excellent cast in Ang Lee's latest, the impressive *The Ice Storm* ...



## ■ FILM 4

Actor Johnny Depp comes cropper in his first directorial effort, *The Dove* ...

# Eleven minutes of fame

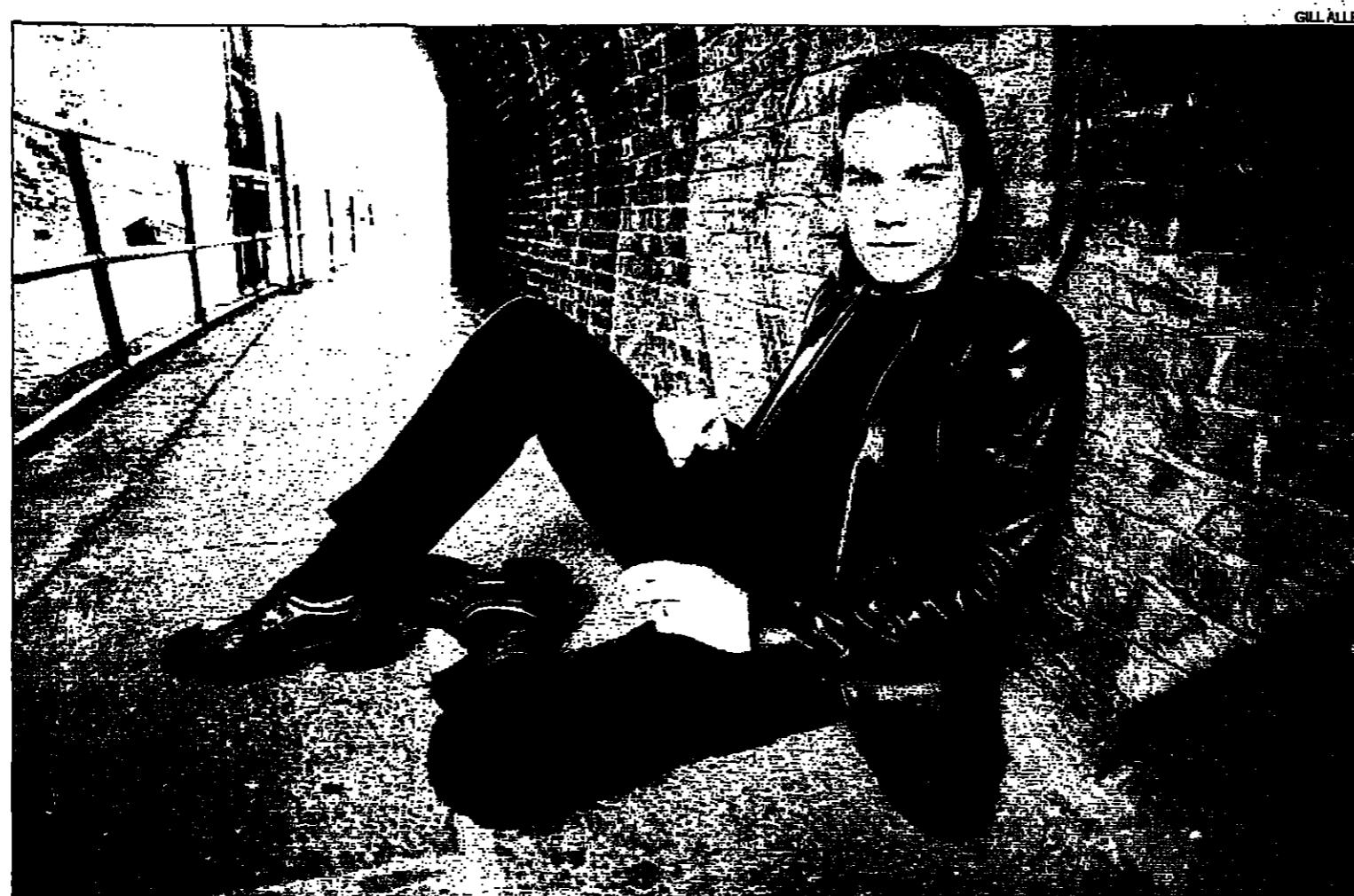
CINEMA:  
Andy Lavender  
on Ewan  
McGregor's big  
short break

**Y**ou doubtless remember Ewan McGregor, shaven-headed and heroin-ravaged, in *Trainspotting*. You recall him collaborating with his flatmates in the dismemberment of a dead lodger in *Shallow Grave*. Or submitting to the artful ministrations of his calligrapher-lover in Peter Greenaway's *The Pillow Book*. But do you also remember the Byronic-haired young man grieving the death of his brother in black-and-white in *Family Style*?

At 11 minutes long the film was easy to miss, but it still glimmers in McGregor's memory. Its writer, Matthew Cooper, provided one of the winning scripts in the first season, four years ago, of the Lloyds Bank Channel Four Film Challenge. McGregor had already shot to prominence in Dennis Potter's *Lipstick On Your Collar*, but *Family Style* also proved something of a calling card.

"I've never had a showreel as such," he says, "but I was so proud of the film that I showed it to a lot of people. It's been really useful to me." Useful, too, to its creative team: Cooper is now writing a feature film screenplay for British Screen/Miramax, and director Justin Chadwick has just made another short film starring McGregor.

The Film Challenge has propelled the careers of a respectable list of young writers and directors, and another



Ewan McGregor, star of *Trainspotting* and, more recently, television's *ER*, attributes his initial success to the Lloyds Bank Channel Four Film Challenge

batch of newcomers are now knocking on the door. This year's six winning entries have just been announced, and their work will be screened on Channel Four in the autumn. Madeleine French and Kate Iles of Compulsive Viewing, producers of the series, received more than 2,000 scripts from wannabe writers aged between 11 and 25. "Young people tend to deal with quite large issues," says French.

"Loss, death — always a lot of death — and characters on personal emotional voyages. You get quite a lot in the style of the latest big hit on TV or in the cinema. Many of them were sub-*Trainspotting*. The year before, a lot of them were sub-*Four Weddings and a Funeral*. But in my job I get a huge amount of scripts coming across my desk, and I can honestly say that the most refreshing come from this

scheme." French and Iles reduce their mountain to a molehill of 30 scripts, whose creators are invited to a day's workshop in Manchester or London. They meet professionals from the industry, go through common problems and procedures and are given half-an-hour's individual tuition on their project. They can then rewrite their work and the new batch is whittled down to a shortlist of 18 scripts which are read by a team of judges from within the film and TV industries.

Four of the six winning writers this year are women. The youngest, Kathryn Pugsey, is 17 and is in the midst of A levels. The realisation of each film is also in the hands of relative newcomers. Each writer is matched with a director aged under 30.

"The directors are a bit further down the line," explains French. "They will have

made one or two short films, and probably worked for the satellite TV companies, but they won't have been employed by network television."

French and Iles look through 450 showreels then interview 30 aspirants — a reminder of the hordes of young people making their bid for recognition.

McGregor is in no doubt as to the scheme's value. "Matthew Cooper was 17 when we worked with him," he says. "This guy is just driven to write, and if it wasn't for something like this, he would never have been found out, unless it was years down the line when he finally plugged through. This was an incredibly nice way to find him, a great window, and one of the only windows there are to get a short film made and get your work seen."

Each film is shot in three days. "It's a really intense learning process for both the writers and the directors," says McGregor. "You're being shown the way and helped out by people who know how it works, but you don't have to adhere to anyone. You're just doing it because somebody likes your work."

The Challenge is obviously a precious stepping stone for young artists, but it also restores the gleam of one of cinema's lost jewels, the short film. "The short has become an odd-thing-out, which is a shame," says McGregor. "A props master on *Shallow Grave* directed a short called *The Last Ten Minutes*. It went out in a lot of cinemas before *Shallow Grave* as a B-movie, if you like, and it was brilliant. I remember how nice that was."

"You've got to make your short film to be seen and to get into the industry. There has to be that opportunity for talented people."

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## ■ FILM 5

Muhammad Ali meets George Foreman in the Oscar-winning documentary, *When We Were Kings*



## ■ FILM 6

Unimaginable beauty and terror are revealed in *Microcosmos* — and the only actors in it are insects



## ■ FILM 7

A natural history museum is under siege in the tiresome new horror thriller, *The Relic*



## ■ NEW VIDEOS

Plenty of oomph: *Brassed Off*, Mark Herman's film about a Yorkshire colliery band, is available to rent

CINEMA: Geoff Brown sees Ali and some heavyweight creepy-crawlies battle for top honours. Plus video reviews

# Muhammad when he was the mountain

**N**on-fiction cinema makes a strong showing this week. It helps enormously that the main attraction of *When We Were Kings*, this year's Oscar winner for Best Documentary Feature, is Muhammad Ali: what fictional creation could compare with this charismatic, principled and playful giant, who boxed and talked his way into history and became a beacon of Black Power?

Leon Gast's joyous film, in the works for 22 years, takes us back to 1974, when the flamboyant Ali was pitted against the sulky world heavyweight champion George Foreman in a fight known as the "rumble in the jungle". This was no ordinary contest. It took place in Zaire. President Mobutu was willing to pay for the world's attention and, as Ali reasoned, a boxing contest was cheaper than going to war. The wily promoter Don King surrounded the event with a festival of black music. Hoping to film an Afro-American Woodstock, Gast, maker of documentaries on Hell's Angels, gangs and the Grateful Dead, came over. When the fight was delayed for six weeks he stayed put, filming Ali as he mingled with crowds, weakened Foreman with psychological warfare, and charmed the world's press.

The contest concluded on October 29, with Foreman felled by Ali's punch in the eighth round. Cast himself far from victory, for he had no money to process his footage. Over the years, the project's focus changed: the music crept to the sidelines, and Ali stormed to centre stage. Archive footage was deftly woven in to flesh out the portrait. Hollywood's Taylor Hackford lent his expertise, and new interviews were conducted with "rumble" onlookers such as Norman Mailer, and the ubiquitous Spike Lee.

Nothing they say, however, matters next to the words and actions of the exuberant Ali: vintage 1975: a hero who makes modern sports stars look soulless and grey. If you fear films about boxing, be pacified: this is a film about humanity triumphant.

There is no technological reason why cinema must have a human face. You can make a film from abstract patterns,

You can train the camera's lens on machinery, mountains, bread and butter, blood, coruscates, dust motes or copulating gnats. These subjects, however, have remained the preserve of fringe groups: experimentalists, scientists, suppliers of classroom material. Most people are happier if the films feature Johnny Depp, Demi Moore or Gérard Depardieu.

*Microcosmos* reveals what we are missing. Its actors are insects, shot over a three-year period in a meadow in the Aveyron region of southern France. The astonishing film takes us through their day, from dawn to dusk, by the miracle of microscopic photography. There is unimaginable beauty and terror in the world under our feet. Falling raindrops become cannonballs. Blades of grass form an impenetrable forest. Spiders, beetles, ants and bumble bees fill the screen, making love and war, and suffering the comic accidents of daily life. What price Buster Keaton when you can laugh at the dung beetle pushing its load over rough terrain, stumbling over, rolling backwards: the myth of Sisyphus in insect form.

But human footprints are everywhere in *Microcosmos*.

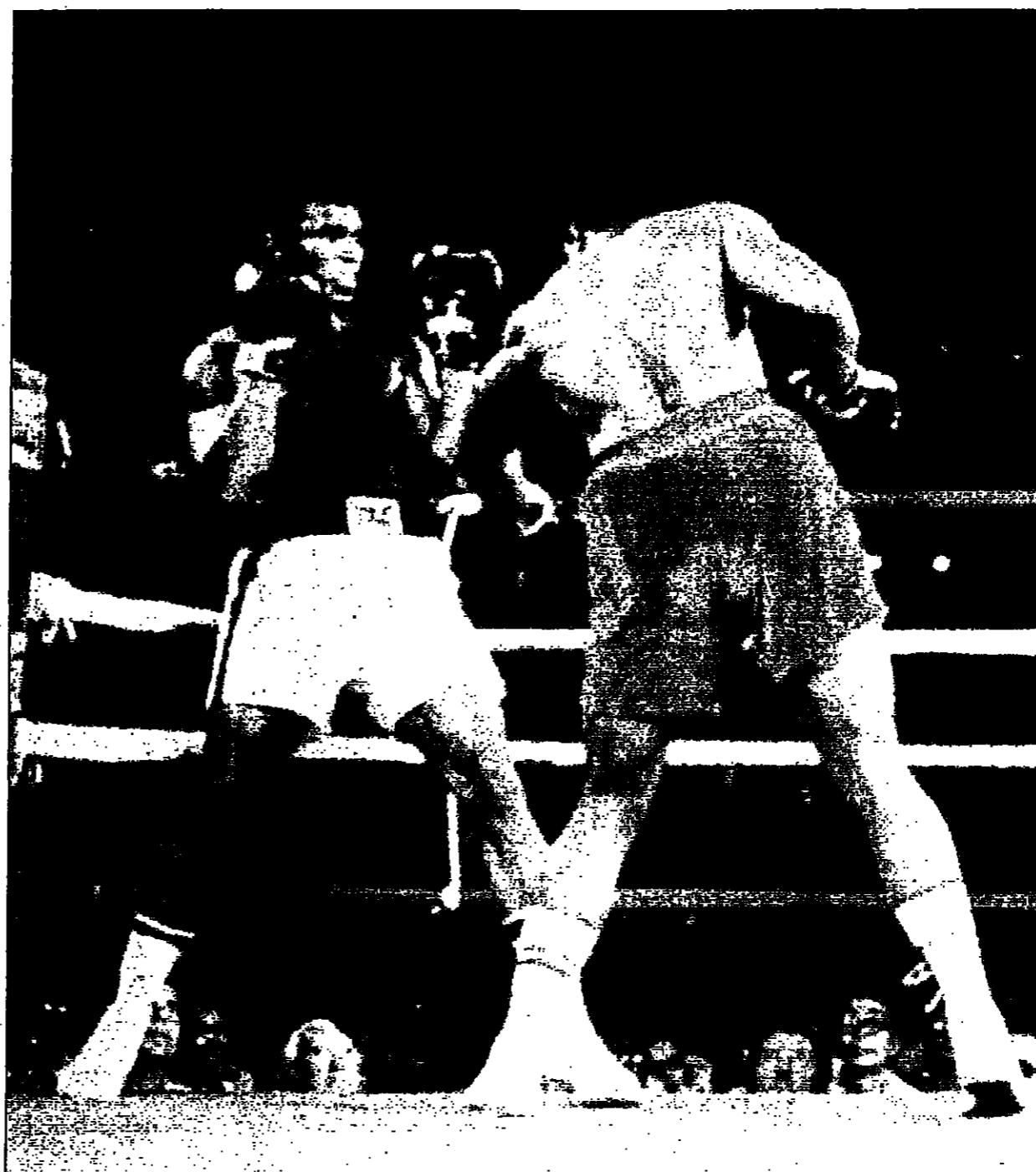
**When We Were Kings**  
Virgin, Haymarket  
PG, 87 mins  
Oscar-winning portrait of Muhammad Ali

**Microcosmos**  
Curzon West End  
U, 75 mins  
Astonishing field trip to the world of insects

**Killer: A Journal of Murder**  
Metro, 18, 92 mins  
Thoughtful tale of an unrepentant criminal

**The Relic**  
Warner West End  
15, 109 mins  
Horror nonsense in a natural history museum

**High School**  
High  
Odeon West End  
15, 85 mins  
Comedy gets low marks



Muhammad Ali boxes his way into history in the joyous *When We Were Kings* — a film about humanity triumphant

## ■ NEW ON VIDEO

## ■ BRASSED OFF

Film Four, 15, 1996

A YORKSHIRE colliery band fights for survival in this fluently made British film from director Mark Herman. The year is 1992. Pits are closing, but the band is up for the National Championships.

What to do? The ingredients don't always blend: lots of oomph and heart-warming comedy, plus shameless melodrama and a dash of social realism. The cast includes



Tara Fitzgerald in the very British *Brassed Off*

Ewan McGregor, Pete Postlethwaite and Tara Fitzgerald. Available to rent.

## ■ A BILL OF DIVORCEMENT

Cinema Club, PG, 1932

AFTER a series of eye-catching stage performances, Katharine Hepburn made a notable screen debut as the loyal daughter in Clemence Dane's melodramatic play.

You can see the seeds of future greatness, although acting honours remain with an unusually controlled John Barrymore as the insane husband who returns home, cured, to find his wife (Billie Burke) about to remarry. Heavily dated, but still very watchable.

## ■ LE BONHEUR EST DANS LE PRE

Film World Cinema, 15, 1996

LAVATORY seat manufacturer Michel Serrault flees domestic woes and a screaming wife by attaching himself to Carmen Maura's family, 300 miles to the south. Etienne Chatiliez's very French comedy features plenty of food and drink, Eric Cantona and his brother Joel, and a slim premise stretched too far. The cast's skills and allure keep you watching. Available to rent and buy.

## ■ DRACULA

Warner Terror Vision

15, 1958

AFTER dishing up *Frankenstein* in succulent colour, Hammer found even greater popular success with Bram Stoker's famous character. Cameraman Jack Asher and the art department go to town with red velvet curtains, stone-flagged corridors and menacing shadows, while director Terence Fisher's measured pace allows us plenty of time to savor on the horrors. Christopher Lee's bloodthirsty Count blends menace with suave charm, while Peter Cushing is an incisive adversary as Van Helsing.

## ■ THE WIND IN THE WILLOWS

Fox Guild, U, 1996

DISAPPOINTING adaptation of Kenneth Grahame's children's classic, set in an England of green fields, steam trains and animals in pull-overs. Writer, director and Toad impersonator Terry Jones threatens the original's gentle charm with heavy Pythonesque humour. Jones's cohorts include Eric Idle (Rat), Steve Coogan (Mole) and Antony Sher (Chief Weasel), but the effect they make, like the film as a whole, is very haphazard. Available to rent.

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Showing the skull beneath the 18th-century consumer's skin:  
Robert Dighton's *Death and Life Contrasted*, 1784

## History from a new perspective

**Lisa Jardine** on how climbing church scaffolding reveals a marriage of science and art

There is a wonderful moment in Judith Field's *The Invention of Infinity* when she resolves scholarly dispute about the brilliantly foreshortened barrel vault in Masaccio's *Trinity* fresco in Florence (circa 1426). Where art historians have pontificated about the possible mathematical constructions that Masaccio might have used, Field persuades a friendly church official to put up scaffolding and inspects the painted surface herself close up, taking her measurements directly from there: "It took no more than a glance to see the absurdity of the suggestion made by some art historians that God the Father's displacement from the central axis might be accidental. An underdrawing line made while the plaster was wet marked the axis, in the central rib of the vault, and another underdrawing line ran down the Father's nose. Their horizontal separation turned out to be 26cm."

She works out that Masaccio adjusted the mathematics of his vault to make it visually correct — the maths is faulty, but it looks right to the observer on the ground.

Such verve is characteristic of this compelling book. Field takes us into the everyday world of craftsmen's calcu-

**THE INVENTION OF INFINITY**  
Mathematics and Art in the Renaissance  
By J. V. Field  
OUP, £25  
ISBN 0 19 8523947

**THE MEASURE OF REALITY**  
Quantification and Western Society, 1250-1600  
By Alfred W. Crosby  
Cambridge University Press, £19.95  
ISBN 0 521 55427 6

tions, and shows us an emerging mathematics of solid forms and projective geometry. As the technical sophistication of these increases, so too does the virtuosity of contemporary paintings — many of which are reproduced in this lavishly illustrated book. Mathematics and arts are clearly equally delightful for Field, and she transmits that enjoyment to the reader. Field still dreams about Masaccio's brushwork. I was left with an

Sometimes what Crosby means by quantity is precise — like Field he regards the development of mathematical perspective as critical for art. Sometimes his usage is metaphorical: "The clock provided Westerners with a new way of imagining."

Mostly, though, the tantalising fragmentary glimpses of the quantified world — the clock, navigation, musical notation, book-keeping — yield large, unsubstantiated generalisations. Besides these being largely rhetorical devices, they are also probably not true. "There were no people on earth more concerned with coins than Westerners, no people who worried more about their weight and purity, no people on earth more obsessed with counting and counting and counting." What about the much admired mercantile and banking practices of 15th-century Muslims to the East?

Crosby's limitations are nowhere more evident, inevitably, than when he comes to deal with perspective in art. "Artists of the Renaissance avant-garde, who were often architects, engineers, artisans and mathematicians as well as painters, were obsessed with space-as-geometry." Crosby proceeds to quote Piero della Francesca's arithmetic on how to calculate the volume of a barrel of flour, leaving the reader bewildered as to how this might have helped a painter's understanding of perspective. No climbing on the scaffolding to give the reader a closer look here.

*Lisa Jardine's Worldly Goods* is published by Macmillan, priced £25.



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Jonathan Clark upholds the values of curmudgeonly learning against the packaging of the past

## Hello! to liberty, prosperity, vacuity

**D**o you remember social history? Those high hopes and programmatic statements of the 1950s? The springtime of the 1960s? The ideological battles of the 1970s? The brave rearguard actions of the 1980s? Do you remember seizing *Past & Present* as it landed on the doormat, each issue promising a new vision of the world? Did you follow with awe the achievements of the *Annals* school that exemplary fusion of theory and practice?

If so, do you ever ask yourself why everything has now gone so quiet? Perhaps a major project in the organising of our sense of the past has lost its momentum and been resorbed into the ordinary perceptions of present consciousness.

G. M. Trevelyan began it all, with his definition of social history as history with the politics left out. But his version was so popular because his vision of the English past turned out to be so familiar. Trevelyan's pages contained no subversive surprises. Readers of his *Illustrated Social History of England* would be entertained, charmed, delighted, but they would ultimately be reassured.

Yet perhaps Trevelyan only seemed to have left out the politics. Look more closely and the old Whig scenario was still there. Trevelyan himself had a sharp axe to grind in religious matters. Perhaps for emancipation from old conflicts we have to wait until the real end of ideology, the era formally initiated on May 2, 1997.

It began earlier, of course. One small symptom was the way in which our history books came to resemble the glossy catalogues of major exhibitions at the Tate or the National Gallery: elegantly printed, superbly illustrated, consumer goods in their own right. As a friend of curmudgeonly learning and reconnoitring research, I deplore all this in vain. In my heart of hearts, I know that the future lies with a slick and smoothly packaged version of our history. Protest is futile in a world shaped by its admen and its spin doctors.

What I notice most about books like this, however, is less the magnificence of the medium than the bland agreeableness of the message. The historical equivalents of *Hallot* magazine wisely contain little to deter prospective purchasers. Consumerism, Brew-

er assures us, was the keynote of 18th-century culture. Why spoil eager enjoyment with awkward arguments?

Why, indeed? If politics, ideology, religion and war are off the agenda at last, dismissed as distractions to healthy hedonism, we can focus on the things that now bulk large in the life of man. And here they all are, evoked in Brewer's pages with evident relish: thus is a book essentially about how people of leisure and especially the intelligentsia, entertained themselves.

No fowndring squires or ginswilling mobs intrude (even the Wilkesite urban artisans are deselected — no "old labour" here).

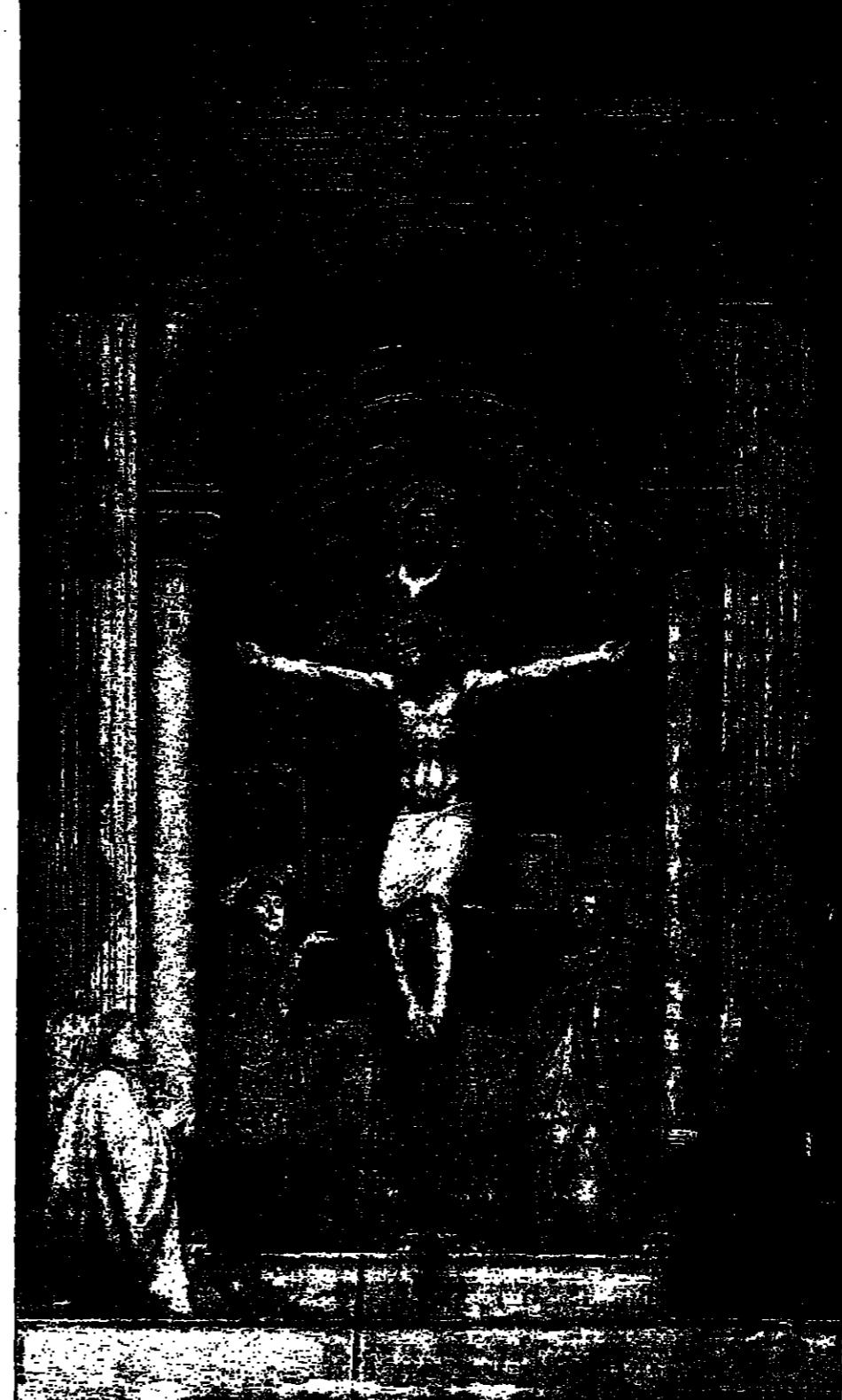
This is a book about "high culture", and that means, for Brewer, the world of authors, publishers,

and readers; the artists and art connoisseurs; the theatre and theatre-goers; the musicians and music lovers. What unites them — indeed what moves John Brewer to rescue these dead artifacts from museums, galleries and archives — is what he sees as the keen commercial sense, "the dynamism of those who produced, sold and enjoyed the arts". Money makes his world go round, not power, ambition, ideology or religion. And who, today, will say that he is wrong?

This is a book which you might give without qualms to your teenage children. It will do them no harm. They will be informed, and entertained. They might be less than grateful only if they have been taught to think of the past as a body of evidence of which historians ask hard questions and demand important answers. But, in today's schools, there is evidently little danger of that.

*Jonathan Clark is a contributor to Virtual History: Alternatives and Counterfactuals, edited by Niall Ferguson and published by Picador, priced £20.*

BRIDGEWATER



The view from below: Masaccio's *Holy Trinity*, Santa Maria Novella, Florence

## A taste for Strong meat

**Alistair McAlpine**

**DIARIES**  
1967-1987  
By Roy Strong  
Weidenfeld & Nicolson, £20  
ISBN 0 297 81841 4



Strong: reconciliation?

**O**n Saturday, May 3, during an interview with Jason Cowley, Sir Roy Strong claimed that he wanted to be forgiven. "I want to be forgiven — no more feuds," said Sir Roy. His diaries, he claims, are a work of reconciliation if these diaries seek reconciliation then the reincarnation of Amila the Hun is a suitable applicant for the post of director at the Victoria and Albert Museum.

What may well, in Sir Roy's mind, have set out to be a work of reconciliation has turned out to be a tragedy. A tragedy for Sir Roy because, in as much as he really tells us anything about himself, he describes a highly intelligent fellow, perhaps even a genius, perpetually set upon by the forces of evil who try to keep him from his true destiny. greatness. The other characters in this drama — and almost every name from the list of the good and the great play a part — are, however, never touched in any depth. There are no insights into their characters, just descriptions of their dress, upholstery and floral arrangements. They dance around the poor fellow as he bemoans his ill-fortune; he seems unable to decide with any consistency whether they are evil spirits or good fairies.

Lord Carrington, for instance, comforts him in his distress and attempts to guide

him through adversity. A kindly fellow, he is treated thus, in 1985: "Carrington came to see me today, very low and moody. Probably because someone has written a book attacking him. We are now at the end of the road. He knows that he has been a flop. He was good at the start, marvellous at the charm; upfront, beaming, and a twinkle. But this year it has all been beyond him. He caves in every time to the heavy gang. He was completely overruled by them at the last trustees' meeting when he was forced to accept hardline voluntary donations. He sits there listless and flapping around, with no edge and not an original thought and no help at all. He is a fairweather prodigy."

I t seems that all the wretched Lord Carrington was trying to do was to tell Strong bad news kindly — that the core of his trustees at the V & A had no time for him. These diaries have the prick of the cat's claw about them. Some people, however, may

take the view that the cat concerned is a tiger rather than a tabby. Sir Terence Corcoran, at first seen by Sir Roy as a supporter, becomes as this tragedy progresses a villain. Strong, the prototype of the showman-museum director, became for Corcoran a self-interested opportunist. In time Sir Terence became Strong's chief torturer, in the end rather than shooing him, the trustees gave a loaded pistol to Sir Roy who handed it on to Lord Carrington, indicating that the directorship of the National Gallery was probably the right post for him. That, it appears, was out of the question and so once again the luckless Carrington struggled

with the problem of his crosses and their direction.

It is strange that Strong should take against Corcoran's commercial instincts. He quotes him as saying about Routhillac's bust of Lord Chesterfield: "What do we want a work by that foreigner for? I know, someone who can make a copy of that, so you'd not notice the difference." It was Strong's commercial streak that attracted him to Corcoran, it was Corcoran's publishing company, Corcoran Ompug, that commissioned Strong's best-selling work, *Creamy Small Gardens*. It was an inspired choice. The combination of that title and Sir Roy Strong was a tremendous success: the book sold over a quarter of a million copies.

**T**he best diarists are not people who write events. It is so in the case of Nicolson, Clark and Channon. So it is with Roy Strong. His diaries are literate and in the most part entertaining. They are also, more importantly, an invaluable reference book for those who have made up Britain's establishment during the last quarter of the 20th century.

*Lord McAlpine's memoirs. Once a Jolly Beggar, are published by Weidenfeld & Nicolson, priced £20.*

## Pigs in church

WEDDINGS can make even the most well-adjusted families behave like latter-day Montagues and Capulets, and the traditional rivalry between bride's and groom's side in Daniel Evan Weiss's funny and disquieting novel is further exacerbated by religious intolerance. Alison Pennybaker, only daughter of a New England family proud of its WASP roots, becomes engaged to Solomon Beneviste, whose family is Jewish. For Alison's fiercely devout mother, Louise, the proposed wedding is a calamity — a view shared by Miriam, Solomon's beautiful, widowed mother.

When in a misguided attempt at reconciling her to the match, Solomon suggests to Miriam that she should trace the Beneviste genealogy in order to draw up a "family tree" as a wedding present for himself and his future bride, he unwittingly sets in motion a train of events that leads to further rupture between the two families. Miriam's research uncovers the fact that the Benevitises were Portuguese Jews forced to convert to

**Christina Koming**

**THE SWINE'S WEDDING**  
By Daniel Evan Weiss  
Secker's Tail, £11.99  
ISBN 9781852424900

Christianity by the Inquisition, and contemptuously referred to as *marranos* (swine) by their oppressors. The more she reads of the appalling cruelties to which her ancestors were subjected in the name of Christ, the more determined Miriam becomes that her only son must not be allowed to betray his heritage by getting married in a Christian church.

As even this brief summary will suggest, Weiss's novel deals with serious ideas, but does so in a way which is almost surreptitious, so that one never feels one is being preached at or lectured. In fact, despite the harrowing nature of some of its material — notably the passages describing Miriam Beneviste's imaginative reconstruction of the horrors of an *auto-da-fé* — this is a very enjoyable book. The device of sharing the narrative between Alison and her reluctant prospective mother-in-law quietly underlines the book's main theme as well as providing some of its best comic moments.

The family dinner where Solomon is first exposed to Louisa Pennybaker's condescending bigotry is one such episode; another is the initial encounter between Alison and Miriam, whose subtly differing accounts of the meeting point up the ironies of their relationship. Unusually, for a novel by a male author, men play an almost entirely passive role in *The Swine's Wedding*. It is the women who are more forcefully realised, and who are given the first — and last — word in this tale about star-crossed lovers.

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# Diplomacy at a certain expense

Hong Kong's first Governor quarrelled with London but got on with the Chinese, finds Percy Cradock

**W**ith so many books on the last Governor of Hong Kong coming off the press, it is a relief to turn back to simpler times and read about the first in the fine: Sir Henry Pottinger, who was appointed Governor on June 26, 1843, also Chief Superintendent of Trade, Plenipotentiary and Minister Extraordinary. In his official portrait he sits holding the Treaty of Nanking, which concluded the First Opium War and made Hong Kong Island a British possession. He looks testy and threatening. Not a conventional diplomatic figure.

His background was Ulster and India. He had an Irish brogue and a short temper. He began as a lieutenant of infantry in the East India Company's service, fought in the Maratha Wars and graduated to political agent. As Resident in Sind, he beat the Amirs and secured safe passage across that barren land for the troops committed to the disastrous First Afghan War. He went on to other colonial appointments, unwillingly to the Cape Province and finally back to India as Governor of Madras. Hong Kong was only an interlude in a long career, though this biography naturally makes it the centrepiece.

What did he accomplish in China? The author argues that without him we would never have obtained Hong Kong. Certainly in Whitehall there was no great appetite for acquisition. Lord Palmerston preferred arrangements for opening up several treaty ports on the China coast, and, if we had in hand an island, would have opted for one further north. Lord Aberdeen, his successor as Foreign Secretary, saw islands as useful bargaining counters; but to retain one "would be attended with great and certain expense".

Lord Stanley, at the Colonial Office, another of Pottinger's masters, wanted all building on Hong Kong halted. It was a confused time in the course of the hostilities with China, a Tory Government took over from the Whigs. There was a new Governor-General in India (whose jurisdiction also covered China). Instructions from London took months to arrive.

Among these uncertainties and hesitations Pottinger stuck to the need for Hong Kong and was sufficiently successful in his military and diplomatic operations to be present to the acquisition to London as a fait accompli. Peel gracefully gave way and approved *feux de joie* at the Tower and Hyde Park to mark the

conclusion of the Nanking Treaty. Poor Captain Elliot, who two years earlier had first taken Hong Kong, but had then been outmanoeuvred in negotiations with the Chinese, had had a different reception: he was reprimanded and recalled. As the book notes, Pottinger, however unpolished as a diplomat, was shrewd in handling the authorities in London. It was the right combination of qualities for the time.

Dealing with the Chinese required less finesse. With a fleet of 72 vessels to hand, and with two ships of the line moored under the walls of Nanjing, it was merely a matter of repeating British demands and setting a date for the bombardment. According to a Chinese report, "to all representations, the barbarian Pottinger only knit his brows and said, 'No'." Negotiation was easier in those days.

As Governor, Pottinger was given the widest of briefs. Lord Stanley told him "methods of proceeding unknown in other British Colonies must be followed." He was interfering and irascible. He quarrelled with his service chiefs and, as Governors have done since, with the British merchants.

Curiously, he got on well with the Chinese. One of the oddest episodes in Sino-British relations at the time was the visit to Hong Kong in June 1843 of Kiyi, the Imperial commissioner, who came to exchange ratifications of the treaty. Kiyi embraced Pottinger as a brother, offered to adopt the Governor's son and persuaded him to exchange pictures of wives. "The English Emperor," think much of women and little of men." For a time this style of softening the enemy was in favour in Beijing, but later, as Western depredations continued, the wind changed and Kiyi was sent a silken bowstring with which to strangle himself.

This is a pleasant but indistinguishable biography. It brings little new information on China at least, and Pottinger, who was a distinctly lively man, never quite comes to life in it. But it is interesting to look back, particularly this year, to an historic moment, the first forcible encounter between China and the West and to remember one of the leading and more fortunate actors.

The Rt Hon Sir Percy Cradock was Ambassador to China from 1978 to 1984 and the Prime Minister's Foreign Policy Adviser from 1984 to 1992. His book, *Experiences of China*, was published in 1994.

## A good scrubbing

Matthew Parris

**WITHOUT BENEFIT OF LAUNDRY**  
By John Peyton  
Bloomsbury, £16.99  
ISBN 0 7475 3331 8



Peyton: a tot of lemon juice

Despite its eccentric title, this is an autobiography. Despite his eccentric tone, Lord Peyton is a politician. Though now retired, he was a notable Cabinet Minister who stood against Margaret Thatcher and others for the leadership of the Conservative Party. Never ill-disposed towards her, he was not content to play the courtier and she froze him out.

On reaching No 10 she dispensed with her services. He went to see her: "Prime Minister," I said, "I have three things I want to say, and if I don't say them now I will never get them out. First I want you to know how hurt and angry I was and am at the way you have behaved to me. Secondly, despite what I have just said, I shall not be looking for an opportunity to get my own back; I hope for all our sakes that you will be successful. Thirdly, I think you would do well to be more careful when it comes to choosing your friends; some of them may prove less reliable than you suppose when the weather changes." I have seen little or nothing of her since and retain mixed impressions.

And he hardly mentions her again. No streetfighter — and

possessing too keen a sense of the absurd (and of fun) for the parliamentary hard slog — John Peyton's generous heart and prosecuting intellect were never, after that, bent to government service. He departed to the corridors of the Commons and then the Lords, there to listen (as he puts it) to the pitter-patter of the clay footprints of those who hurry importantly along them" and to delight those colleagues and commentators who noticed him. Appreciating John Peyton is a sure sign of good taste in any Westminster-watcher. Like the tot of undiluted lemon juice his pocketed features so often suggest he has just urinated. Peyton is acid yet benevolent.

Less than half of this book is

about politics. An opening chapter in almost freeform style, evoking Twenties England as seen by a little boy, is immensely powerful. The chapters on his years as a prisoner-of-war will absorb any reader. His generosity constantly surprises, but throwaway comments on colleagues of whom he had a low opinion ("Sir Harold was not one who left much of a mark on anything, save perhaps the

sion by the winds and tides of time. Recalling people, times, places and events is, to an extent, an affair of chance. Many are lost beyond recovery: of the remainder, some, limped for a moment like a fish in clear, still water, vanish as you move towards them; the outstretched hand comes back empty save for some bits of unmemorable debris from the bed of the stream. Others are easily retrieved, as from a computer; others again, without aids and regardless of time, are unforgettable, always with you. It is as if memory were a camera used with varying degrees of skill, sometimes in a poor light and at other times, though aimed and focused, without a film."

But he does remember, as junior Minister of Power, going down a coalmine, seeing the privations of those who laboured there, then talking to one of the miners. "Sir," said the man, "I never expected to meet anyone like you, let alone talk to him."

"What on earth?" I wondered, "have we done to one another?" It wasn't a question which called for an answer, and we didn't have one anyhow."

not written the way real novels are written ... he told Moravia in 1973. One can watch as Pasolini manipulates, then reveals his own methods. First he seduces the reader with visual stimuli: "The whole cosmos was there, in that field, in that sky, in those barely visible urban horizons, and in that intoxicating odour of summer grass." Immediately afterwards he pulls the curtain on the trick: "My notes about the landscape are applied like elements of a stage set."

*Petrolio* is definitely not for the casual reader. Even the dedicated fan must struggle with its ideological parentheses, its narrative lurches. Then again, from the continually surprising and non-conformist Pasolini, one would expect a book under construction. "It's a novel, but it's

an extended allegory about the metamorphosis of Italian society that took place in the Fifties and Sixties. Carlo sets out to break down the barriers of middle-class behaviour through the pursuit of sex. Despite the dramatic intensity of the writing, these passages can degenerate into obsessive repetition as Carlo has sexual relations with his mother and his grandmother to emerge.

## And granny too

Harriet Paterson

**PETROLIO**  
By Pier Paolo Pasolini  
Secker & Warburg, £9.99  
ISBN 0 436 20399 5

In an extended allegory about the metamorphosis of Italian society that took place in the Fifties and Sixties, Carlo sets out to break down the barriers of middle-class behaviour through the pursuit of sex. Despite the dramatic intensity of the writing, these passages can degenerate into obsessive repetition as Carlo has sexual relations with his mother and his grandmother to emerge.

James Woodall on three Brazilian novels energised by cinematic imagery



Playfulness and danger: street children play in Rio de Janeiro — but such children are thought to have been murdered to curb street crime

## Still a million things to say

**B**efore I start, I must declare an interest: when I encountered Chico Buarque's first novel *Turbulence* in 1992, I had no idea who he was. Five years later, he is the subject of my third book.

I should stress that the Buarque I have come to love is a composer — of sambas and bossa novas which over three decades have become part of the texture of Brazilian life. Buarque's novelistic voice is entirely new. He can only hope that readers will listen to it with entirely new ears.

Buarque has admitted to me that it is difficult to accept that a man whose music millions grew up with has turned author. *Turbulence* was a bestseller in his home country, but *Benjamin* has had a harder time of it. Brazil's favourite pop star seems to be getting increasingly serious between hard covers.

Buarque is a serious man; his first ambition was to be a writer. Now in his fifties, he

writes prose of verve, resonance and lyrical concision. As in *Turbulence*, the reader is given few clues in *Benjamin* about location and almost no narrative slack.

Benjamin Zambrana is an ex-model who relives his life in the seconds before his execution — for a misdeed our which remains obscure. The city he moves about in is probably Rio de Janeiro. Buarque's own; but as in *Turbulence*, the unnamed city is a site of contrasts, haphazard meetings, teeming crowds, an emblem of chaos and an indisputably South American kind.

That is what all three books have in common: the urban landscape described by these authors and experienced by their narrators is unpredictable, and deeply threatening. Their narrative techniques owe more to cinematic imagination than to the steadier procedures of European fiction. It should come as no surprise that while Buarque's *Benjamin* tries to piece together his life as if it were a

**BENJAMIN**  
By Chico Buarque  
Bloomsbury, £14.99  
ISBN 0 7475 3015 7

**THE KILLER**  
By Patricia Melo  
Bloomsbury, £14.99  
ISBN 0 7475 3014 9

**THE LOST MANUSCRIPT**  
By Rubem Fonseca  
Bloomsbury, £14.99  
ISBN 0 7475 3031 0

film, both Patricia Melo and Rubem Fonseca are active screenwriters.

Of the three, Buarque's text is the most touching. Benjamin's memory flash amplifies an obsession: he pursues, more in his mind than on the street, a young estate agent, Ariele Mase, whose resemblance to an old lover drives him into situations he seems quite unable to control. He is easy to like, as is Ariele. We follow her turns of mind too, and her unwilling involvement in a noisy political

campaign offers further evidence of how character in much Latin American fiction is overwhelmed by the forces of accident: Brazil's mad reality squashes the intricacies of peoples' finer feelings.

By contrast, Patricia Melo's protagonist, Maíquel, is so unlikeable as to be almost funny. He starts off killing a local crook for a bet, then becomes a full-time blower-away of undesirables. Elevated to hero status for his pains, he gets hooked on murder just as other characters in the novel are hooked on sex or cocaine. (Maíquel indulges copiously in both addictions.)

At one level, *The Killer* is a litany of grotesque acts of violence and sexual deviance — the language is rough, packed with ballistic expletives, the characters are never less than manipulative and venal. Life in the novel's distorted reality becomes very cheap. At another level, Melo's unrelentingly ugly tale has the insistence of parable: in a

James Woodall's *A Simple Brazilian Song* will be published next month by Little, Brown.

writing harnesses that scream with skeins of words.

The book is "out of me", Shaw writes, and the parallel with childbirth is inescapable. The child grew within, and triggered darkness; the book grew within, and opened a chunk of light. Although Shaw is too honest to deal in happy endings, her relief is palpable: "I had no idea that my terror would give birth to a book".

Shaw's next challenge will be to transmute it into fiction.

BEL MOONEY

## Birth pains

terrors of childhood, to an examination of the medical and psychiatric background, until finally we reach the present — the quest ending in the act of writing. Language is the means to approach what is beyond language: the past is a scream, but the present act of

writing harnesses that scream

The book is "out of me", Shaw writes, and the parallel with childbirth is inescapable. The child grew within, and triggered darkness; the book grew within, and opened a chunk of light. Although Shaw is too honest to deal in happy endings, her relief is palpable: "I had no idea that my terror would give birth to a book".

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BEL MOONEY

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## FOOTBALL

# Ravanelli may lead exodus from Riverside

BY DAVID MADDOCK

**BRYAN ROBSON**, the Middlesbrough manager, delayed the inevitable yesterday when he insisted on deferring any decision about the future of his high-profile foreign players.

Robson holds no realistic hopes of persuading Fabrizio Ravanelli, Juninho or Emerson to remain at the Riverside Stadium after Middlesbrough's relegation from the FA Carling Premiership, but the process could be hastened by a gathering interest in the pick of his squad.

AC Milan are the latest club to express an interest in Ravanelli, the Italy forward. Sources at the club suggested yesterday that it is prepared to make an £8.5 million offer to take Ravanelli home. He has been targeted by Fabio Capello, the coach, who is scheduled to return to Milan to resume control from Arrigo Sacchi, a year after leaving to join Real Madrid. Capello sees Ravanelli as the man to change Milan's faltering fortunes when he returns.

Milan's city neighbours, Internazionale, are rivals for Ravanelli's signature and it could be that the Italian gets an early move home, perhaps even as soon as next week. Emerson will clearly be joining him on a flight from Teesside airport, although perhaps to Spain. Juninho, too, indicated yesterday that the FA Cup Final will be his final game for Middlesbrough.

"Playing for my country is important to me and obviously I need exposure," the Brazil international said in response to a question about the prospect of playing in the Nationwide League first division. "But, if I go, then my heart will always remain in Middlesbrough."

Juninho denied a suggestion that he would be flying to Spain on Sunday to discuss terms with Atlético Madrid, the Spanish champions last season. There is no doubt, however, that Spain is his preferred destination and he has indicated privately that he will, reluctantly, leave England.



Emerson appears preoccupied as he watches his Middlesbrough team-mates prepare for the Cup Final yesterday

## Bilic completes move to Everton

BY OUR SPORTS STAFF

ONE highly-rated central defender left London yesterday and another decided to stay as a week of expensive transfer activity continued. Slaven Bilic completed his expected move from West Ham United to Everton for £4.5 million, while Sol Campbell decided that his career was best served by staying with Tottenham Hotspur.

Bilic, 28, the Croatian international, moved to Goodison Park after helping West Ham to avoid relegation. He signed a five-year contract, despite the fact that Everton have yet to secure a replacement for Joe Royle as manager.

"I wasn't happy when Joe Royle left the club because he was the man who set up the move for me," Bilic said. "It was sad that Joe went, but it didn't alter the way I felt about Everton and I still wanted to join them."

The chairman [Peter Johnstone] has assured me that he has a shortlist of managers he wants to bring here and that

he has spoken with them all. Every single one of them wanted me, so I don't really have any worries about who becomes manager, although I would like the club to find one soon because time is already running out to try and find the right players."

Everton had been favourites to sign Bilic since they learnt of a clause in his contract which stipulated that any club offering more than £4 million was entitled to negotiate personal terms.

Bilic said: "I first spoke to Everton in March when I met with the chairman and Joe Royle. They were very keen to sign me then, but I didn't want to leave West Ham when they were in the middle of a relegation battle."

"I was so impressed with the club and what they had to say about their ambitions that I told them I would love to sign if they would wait for me. I was so glad when they said they would and we made a gentleman's agreement that I

would sign at the end of the season.

"It worked out perfectly for me because not only have I got the move that I wanted, West Ham have stayed in the Premiership as well."

Campbell, who has broken into the England team this season, has signed a new four-year contract, a move that will disappoint his many admirers at other leading Premiership clubs.

Campbell said: "I am a Tottenham man and never wanted to leave. I have been here since I was 14 and I'm happy to stay for another four years. This is a boost for me, the club and the fans, who have been very good to me."

Campbell is confident that Tottenham will re-establish themselves after being constantly disrupted by injuries this season: "I spoke to the chairman [Alan Sugar] and he told me he wanted to sign a couple of quality players,"

Campbell said. "I feel we already have strength in depth and one or two more players will make it even better."

## Pallister withdraws

**GARY PALLISTER**, the Manchester United central defender, has been forced to pull out of England's summer fixtures after learning that he needs an exploratory knee operation. He will undergo surgery tomorrow amid fears that he will need to have another cartilage removed.

Pallister, 31, had an operation on his other knee in November. He is likely to be sidelined for around a month.

Pallister will miss the match against South Africa at Old Trafford on May 24, the World Cup qualifying tie in Poland a week later and the four-nation tournament in France in June.

Glenn Hoddle, the England coach, will now turn to his stand-by list, with Dominic Matteo, 22, of Liverpool, the favourite to take Pallister's place in the 27-man squad and earn his first cap.



Pallister decision next week

## Ambitious Newcastle join the chase to sign Ince

BY OUR SPORTS STAFF

**NEWCASTLE** United have joined the race to secure the services of Paul Ince, the Internazionale and England midfield player. They have asked to be kept informed of developments as Ince makes a decision on whether or not to return home after two years in Italy.

Newcastle's success in securing a place in the European Cup may prove a powerful draw for Ince, 29, as would the chance to renew his international

partnership with David Batty. Ince will announce his decision after the second leg of the Uefa Cup final next week. Inter trial 1-0 to Schalke 04 after the first leg in Germany last week.

Kenny Dalglish, the Newcastle manager, is also ready to offer £2 million to Blackburn Rovers for Shay Given, the Ireland goalkeeper. Dalglish is keen to avoid the transfer going to a tribunal.

Leading FA Carling Premiership clubs will have been alerted by the

news from Italy yesterday that Juventus may consider parting with their strikers, Alessandro Del Piero and Christian Vieri.

Umberto Agnelli, whose Fiat car empire bankrolls the club, said that a bid of around £15 million may be enough to persuade him to sell Del Piero, his most highly-prized asset. However, he added: "I hope that Vieri and Del Piero continue to play for Juventus."

Del Piero made it plain he wishes to

remain at the Stadio Delle Alpi. "The fact is that I want to stay here. All this talk of a possible move is inevitable when you're in the spotlight."

Raul, the Real Madrid striker, confirmed yesterday that he was staying with the club, despite reports that a Premiership club had made an offer of £25 million for him. "It's incredible ... but I wouldn't leave, even for double," Raul, 19, said. "Raul is not negotiable; he is club property," Lorenzo Santa, the club president, said.

Newcomers get chance to impress for Davies

## GOLF

## Montgomerie hopes practice makes perfect

BY JOHN HOPKINS, GOLF CORRESPONDENT

THE PGA European Tour has moved around the M25, from one American-designed golf course to another. It has gone from The Oxfordshire, near Thame, to the parkland of Hanbury Manor, near Hemel Hempstead. Rees Jones designed The Oxfordshire in the early 1990s at about the same time as Jack Nicklaus Jr put his signature to the new Hanbury Manor course, 80 years after Harry Vardon laid out the original nine-hole version.

The two courses are as different as a wooden-shafted, persimmon-headed driver and a titanium-shafted *Big Bertha*, but Hanbury Manor at least looks at one with its surroundings. The Oxfordshire was last seen being battered by rain squalls and a gusting wind. In Hanbury Manor yesterday, the sun shone and the scene vaguely resembled a British summer's day.

This is a good course," Jose Maria Olazabal said on the eve of the Alamo English Open. "You have to increase the level of your game to enjoy the game here. It demands accuracy. You cannot tee off with an iron and then expect to



## CRICKET

# Evans helps himself to career-best figures

By DEREK HODGSON

**OLD TRAFFORD** (first day of four; Nottinghamshire won toss): Nottinghamshire, with six first-innings wickets in hand, lead Lancashire by three runs

THE Old Trafford pitch would have been reported to the England and Wales Cricket Board if another wicket had fallen yesterday, but Peter Martin, the chief Lancashire groundsman, should have slept with a clear conscience last night. Lancashire have been fined 25 points in the past and warned on another occasion, but the board will surely accept that, this time, the batsmen had to face no more than an old-fashioned English seaming surface.

The pitch was bright green and overnight rain meant that play did not start until 12.15pm, when Paul Johnson made the right decision and saw six Lancashire batsmen back in the dressing-room for 33 runs in 18 overs.

Kevin Evans, on his way to a career-best six for 40, took four wickets for two runs in 28 balls, a reward for bowling on or about the off stump, to a length and allowing the seam to do its work. The Nottinghamshire slip cordon, Graeme Archer in particular, caught like hawks.

Jason Galloway was the first Evans-Archer victim, third ball; Atherton went in Evans's next over, caught by Pollard at first slip as the ball lifted and cut away. Evans took an over to adjust his line to Neil Fairbrother, but the first time that the left-hander tried to attack, he top-edged to Johnson at mid-on.

Lloyd got a demon delivery. He went on to the back foot to play down a lifting delivery, but was confounded by the extra bounce. As the sky cleared, the pitch began to dry and Lancashire, from Mike Watkinson had pulled Tolley to long leg, knew that they had to take every scoring chance to avoid real humiliation.

They were saved by a fine innings from John Crawley. He went on to the back foot to play down a lifting delivery, but was confounded by the extra bounce. As the sky cleared, the pitch began to dry and Lancashire, from Mike Watkinson had pulled Tolley to long leg, knew that they had to take every scoring chance to avoid real humiliation.

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He is already regarded as the best player of spin among the younger England class and, after this display of concentration, he can be counted among those who used to be known as "bad-wicket players".

Not until he was joined by Peter Martin, at 52 for nine, did he find a partner with a similar approach. Martin is uncomplicated, blocking the straight ball and driving or cutting, powerfully, any strays. As the Nottinghamshire seamers tired, the pair took advantage: Crawley lifted Tolley over mid-wicket for six, Martin dented Evans's figures in similar fashion.

The pair had added 73 in 33 overs, when Martin's ambitions betrayed him, his slashing cover drive taken low and handsomely by Gie. Crawley, who batted from the fourth ball of the innings, was left undefeated on 51 of 108 balls.

Nottinghamshire were batting soon after 3.30pm and made almost as catastrophic a start as Wasim Akram caused havoc off a short run. One ball would fly elbow-high, or higher, and the next would be a fast yorker drilled into the ankles.

Tim Robinson was the first victim, leg-before, after surviving eight overs; Archer was prepared for the next thunderbolt, went back to dig it out but was simply not quick enough and fell in the same way. Pollard fell to Glen Chapple's extra pace and Nottinghamshire were 13 for three.

When Gie hurriedly withdrew his bat as Wasim fired across him, he had his off stump knocked flat — 37 for four. By then Johnson had arrived and, helped by Usman Azaal, Nottinghamshire pulled themselves together.

All Nottinghamshire followers will have been pleased to hear of the £42 million National Lottery grant for the redevelopment of Trent Bridge. This will help to fund a £6.5 million rebuilding of the Radcliffe Road end that will include a centre of excellence and a new £4,500 stand, which will lift capacity to 14,500.



Donald, of Warwickshire, celebrates the third of his four victims with the dismissal of Vaughan yesterday

## Gough's rich seam heartens England

By RICHARD HOBSON

**EDGBASTON** (first day of four; Warwickshire won toss): Warwickshire, with six first-innings wickets in hand, are 169 runs behind Yorkshire

AS A succession of England's premier batsmen failed around the country, Darren Gough at least gave the selectors some reason to feel confident ahead of the Texaco Trophy series in the final session here yesterday.

With Yorkshire defending a first innings total of 233, Gough hit the crease with vigour, quickly found the ideal length in helpful conditions and took his sweater after a new-ball spell of nine overs, five maidens, 12 runs and three wickets. Eight of those runs were taken from his first two deliveries. Earlier, Allan Donald claimed four wickets, from the same pavilion end, and the highest praise that can be meted out to Gough is that he matched the South African bowler.

After twice cutting successfully behind point, Knight was adjudged leg-before to a ball of full length, the fifth of that eventful initial over. Hemp fell in similar fashion, with what appeared a reasonable total. It looked even better by the close.

Perhaps Warwickshire were guilty of doing too much with the ball. It was difficult to keep count of the number of occasions in which they beat the bat or saw the ball fall short of a fielder. Vaughan compiled from 127 balls when he became the third of Donald's victims, edging to Frost, the wicketkeeper. After chiselling out 62 in 196 minutes, Lehmann finally shouldered arms to Brown. Late hitting from Blakey and Silverwood ensured that Yorkshire finished with what appeared a reasonable total. It looked even better by the close.

Over and Ostler became a third victim as he attempted to force through midwicket. With Warwickshire reduced to 22 for four, Silverwood having accounted for Moles, Knight was entitled to question his wisdom in inserting Yorkshire. The way his own team folded put the half-centuries by Vaughan and Lehmann in glowing context. Neither batsman was completely at ease and Lehmann, in particular, enjoyed more fortune than anybody has a right to expect in a single day. Yet their partnership of 73 in 26 overs may prove decisive.

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**LORD'S** (first day of four; Middlesex won toss): Derbyshire, with five first-innings wickets in hand, are 23 runs behind Middlesex

IT WAS the old hands who made most of the news. Devon Malcolm and Phillip DeFreitas, still not past the reckoning for England, took five wickets apiece in a Middlesex innings that only the venerable Mike Gatting and Paul Weekes prevented from being a rout. On the other side of the coin, Kim Barnett suffered another injury to his recently-healed knee soon after the start of play when he ran into an advertising board. He is likely to be out of action for some time.

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The Middlesex innings was

subjected to loud vocal accompaniment. The extent of Derbyshire's appealing and cries of mutual congratulation, even when the ball hit the middle of the bat, was barely within the bounds of tolerance. What with all this and the amount of movement extracted by Malcolm and DeFreitas, Middlesex experienced a torrid time.

They had received 28 balls before they managed to score a run and, by then, Kallis was back in the pavilion. From a distance, there was some doubt as to whether the ball carried a second spin. There was no question, though, about the waist-high catch that disposed of Ramprakash. At that point, Middlesex had just mustered their second run.

Gatting and Weekes buckled down to a partnership of 79 before Gatting failed to cope with Malcolm's pace. Once Weekes had nibbled, at DeFreitas' pace, Weekes took charge. In 18 very lively balls, he took four wickets for 16 runs, only Moffatt, in his championship debut, seemed to have time to cope with Malcolm's pace.

**Durham's progress continues at expense of Essex**

By PAT GIBSON

By IVO TERRANT

**CHELMSFORD** (first day of four; Essex won toss): Durham, with seven first-innings wickets in hand, are 115 runs behind Essex

WHISPER it softly, but Durham seem to be on their way at last. It was one thing to outplay a weak Nottinghamshire side in their last championship match, when only ram robbed them of their first victory for two years; quite another to dominate against a team as strong as Essex.

David Boon's expression gave nothing away, but the new captain must be pleased with the way things are going, even if he did have to step into the breach when the loss of three wickets for 18 late in the day threatened to undo the good work.

He still has a fight on his hands on a raid pitch with plenty of grass to hold the cracks together. The ball is scuttling and occasionally hitting disturbingly, which helps to explain why Essex lost their first four wickets for 27 and, another to dominate against a team as strong as Essex.

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## Sport must put dancing in its place

**T**ake your partners for this week's great debate: is dancing a sport? It is a question prompted by a fierce dispute over the annual ballroom dancing match between Oxford and Cambridge Universities, which was fought out over the weekend.

This year, for the first time, female ballroom dancers from Oxford were eligible for a full Blue. The Oxford men who partnered them, by contrast, were awarded only a half-Blue. And, while the Cambridge ladies qualified for a half-Blue, for the men at Cambridge there were no Blues at all.

On Monday night, after a Cambridge victory in the match, the Cambridge Blues Committee decided unanimously that things should stay that way — with no Blues for the university's men. So, does the Cambridge Blues Committee comprise fully paid-up members of the Dinosaur Tendency, or are they the still small voice of common sense?

In 1995, the International Olympic Committee gave provisional recognition to ballroom dancing. On the back of this, there has been huge pressure from the dancers to win wider recognition for their activity as a sport.

They have renamed it "Dancesport" and claim that, in terms of physical fitness, ballroom dancers are now right up there with the nation's top athletes. They have wheeled out experts from the University of Western Australia, who found that competitive dancers required high levels of cardiovascular fitness and concluded that "it is as demanding as basketball, squash or

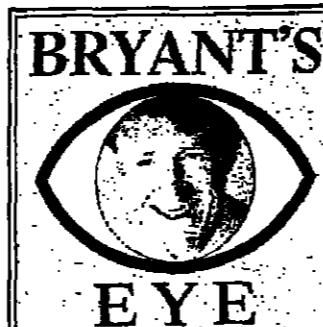
cross-country running".

Ballroom dancing's claims to being a sport, however, leave many unconvinced. "The subject comes before us every two years," Dr Christopher Thorne, the secretary of the Cambridge Blues Committee for the past 20 years, said, "but ballroom dancing has never received a single vote for half-Blue status from the 14 men captains."

"Dancing," Thorne added, "is like eating and drinking — a social grace, not a sport." While complimentary about the energy, skill and dedication of dancers, the Blues committee considers dancing only marginally more of a sport than ploughing or stamp collecting — both of which have applied for Blues status in the past.

As for the Olympic recognition, Thorne said: "We have been around longer than the Olympic movement and our views are quite as valid. Perhaps, when dancing makes the back pages of our tabloid newspapers, we will reconsider." Other critics can be even fiercer. One pundit snorted: "It is not a sport, it's foreplay."

There is certainly a lot of sex and much tradition in the beguiling mélange that is ballroom dancing. The activity began more than 70 years ago as a ritualised mating prelude for the upper classes. Now, as it aspires to be a



ersity matches) already include other activities that are artistic rather than competitive, like ice skating and synchronised swimming.

With sports like these in the Games, you cannot leave our ballroom, the dancers' clamour. It would, however, make much more sense to leave them all out. The last Olympics in Atlanta creaked painfully under the weight of a bloated catalogue of sports.

Worldwide, ballroom dancing has boomed and top couples can earn well in excess of £50,000 a year from lecturing, coaching and exhibitions. Inevitably, ballroom dancing looks likely to be given the full television treatment and the big agents are poised to milk it for all it is worth.

In his application made this February for full-Blue status for ballroom dancing, Paul Dean, the Oxford University captain, cited a number of reasons why ballroom dancing should be considered a "true sport". Among them is "the fact that, last year,

measures were introduced to provide for random drug testing..."

Dog testing? The very mention of it is a sad, and significant, indicator of the damage being caused by those obsessed with turning dancing into "Dancesport". National-level dancers — and there are not many of those in universities — will tell you that competition has already distorted ballroom dancing so much that it now bears no relation to social dancing.

"We couldn't go to a normal dancefloor," one told me, "we'd kick everybody over. In a hall where you might normally have 200 dancers enjoying themselves, you could not allow more than six or seven if they were competing."

With the dancers do not seem to realise where they are heading. Their obsession with turning their ballroom into a gymnasium is distorting beyond recognition what should be a beautiful and elegant ritual. The intervarsity dancers who took their tails and taffetas on to a floor marked out for badminton and basketball at the weekend seem blind to the threat that they could end up with a sport that owes more to steroids than sequins.

Will their highly-trained bodies be clothed in shell-suits and their feet protected by Nike Dance shoes? Why bother? Ballroom dancing should be fun, romantic, sexy, magnificent. When danced well, a waltz is a wonder. But can such magic survive as a sport?

JOHN BRYANT

### EQUESTRIANISM: NEW PARTNERSHIP GAINS SURPRISE WIN AT WINDSOR

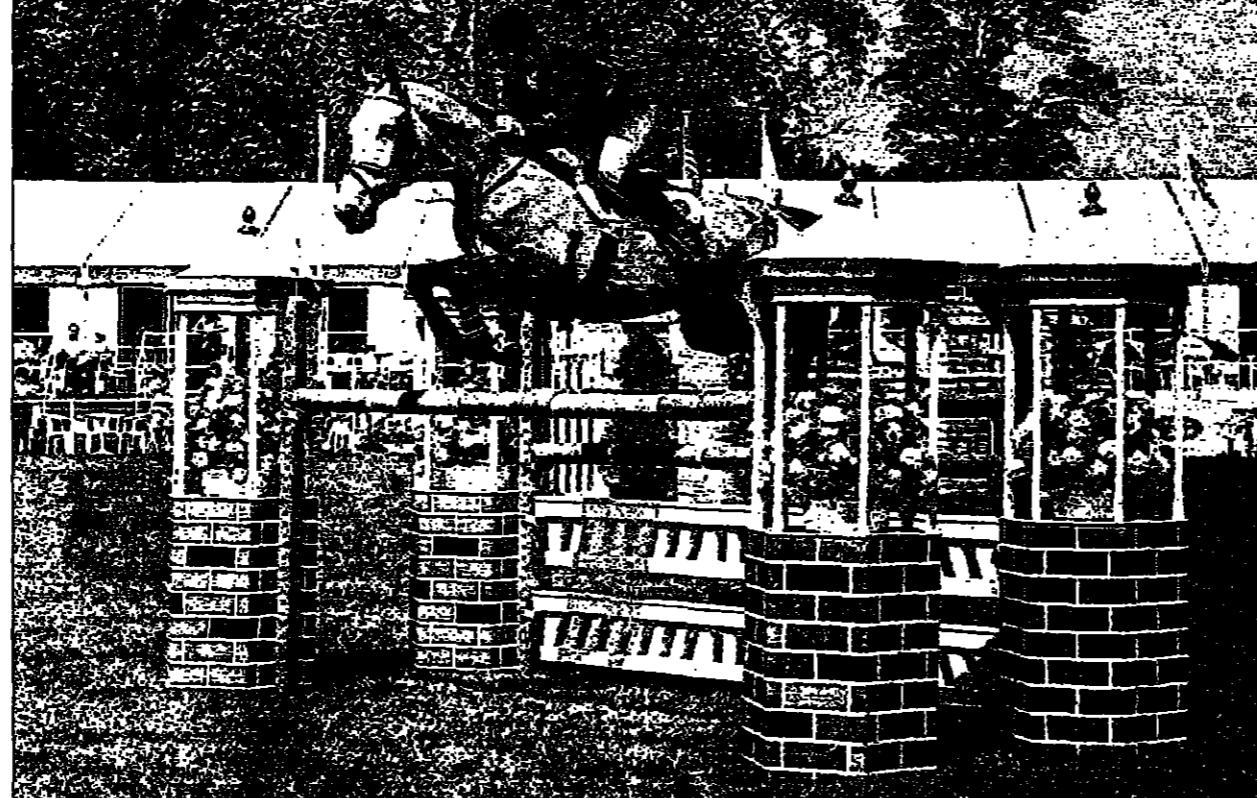
BY JENNY MACARTHUR

DI LAMPARD, one of five riders who has been selected for the nations' cup meeting in Rome next week, made an impressive start to the Royal Windsor Horse Show yesterday when she and the ten-year-old stallion, Audacity, a horse she started riding only three months ago, won, with some comfort, the opening Land Rover Grade A event.

Revolving in the excellent going in Windsor's upgraded main arena, Audacity, owned by Jenny Willment, galloped neatly round the 12-fence course to relegiate Geoff Luckett and Clover Chief to second place by 4.79sec.

The ease of the win came as a surprise to the Leicestershire-based Lampard — "I was sure one of the later horses would be faster, I knew I hadn't gone crazy fast," she said — but several top partnerships, including Michael Whitaker with Virtual Village Ashley and Nick Skelton with Virtual Village Showtime, who are members of the British team for the nations' cup on Sunday, used the class as a "school" for bigger events to come and made no attempt to match Lampard's time. Guy Williams, on Harjenn, was the only rider to improve on Lampard's time, but paid the penalty with eight faults.

For Lampard, who just



John Whitaker and Nebel negotiate an obstacle in the Land Rover Grade A event at the Royal Windsor Show

missed out on a place at the Olympic Games last year, the win follows an eventful few months in which she has acquired a new sponsor and three new Grade A horses.

She was telephoned "out of the blue" by Willment in February and offered both Audacity and Equi-horses, formerly ridden by Clare McCauley. Two months ago, she also accepted the ride on Flaminka, a mare from Paul Darragh's yard.

Today, Lampard brings out her top horse, Abberval Dream, for the new Hilton International Team Trial, one of four trials designed to improve the selection process for the British team for this year's European championships. A league table will be produced in July based on a rider's best three results.

The innovation has been welcomed by riders. Alison Bradley, who lost her place on the British team when her top horse, Endeavour, was sold to the United States at the end of 1995, said it would be "fairer for all". She hopes to make her mark on Arron II, a former advanced event horse that she started riding last June. Yesterday, the 12-year-old geld-

ing, on which she has been regularly placed on the county show circuit, underlined his scope with a stylish clear round that put Bradley in seventh place.

The competition, which has its final at Olympia in December, produced one of the older spectacles of the day. Related pairs of riders jump six fences against the clock in relay, but instead of exchanging a baton at the halfway point, they exchange a large teddy bear. The luckless teddy is stuffed into a knapsack and bobs up and down either on the rider's back or on the side of the horse.

Earlier, spectators round the Castle Arena saluted one of the Show's most prolific winners when Lord Patrick Beresford won the polo pony championship for the fifteenth time. Beresford, who says he is now retiring from polo, first won in 1959. Yesterday's success on Saifron was particularly rewarding. The mare, who is only six, is the third generation of his home-bred winners.

### RESULTS

LAND ROVER GRADE A: 1, Audacity (D. Lampard) 0, 70.61; 2, Cobalt (J. Whitaker) 0, 73.58; 3, Helada (T. Stockdale) 0, 73.58; Petaluma Family park relay, 1, Shur (D. Lampard) 0, 73.58; 2, Cobalt (J. Whitaker) 0, 73.58; 3, Helada (T. Stockdale) 0, 73.58; Lucy (C. McCauley) 72.19; Balmoral (M. Whitaker) and Virtual Village Silver Circles (R. Williams) 72.19; 5, Neptune (J. Whitaker) 72.19; 6, Cobalt (D. Lampard) 72.19; 7, Saffron (Lord Patrick Beresford); Cob champion: Polaris (L. Bradley); Pony champion: Arron II (L. Bradley); Novice Independence (R. Hutchinson); Portuguese horse (Indian) (H. Hodges); The Wayward (L. Williams); 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 8



**RACING 43**

Benny The Dip advances claims for the Derby

# SPORT

THURSDAY MAY 15 1997

Premier League rejects criticisms

## Leaver returns fire against club chairmen

By RUSSELL KEMPSON

**T**HE dust had barely settled on a dramatic conclusion to the football season when Peter Leaver, QC, the new chief executive of the FA Premier League, yesterday mounted a strong defence of the body that runs the FA Carling Premiership.

In a frank and wide-ranging address, Leaver said that it would be "very sad for football" if Middlesbrough were to pursue through the courts their grievance about the deduction of points that cost them relegation, and defended the League against accusations of incompetence from Alex Ferguson, the manager of Manchester United.

Leaver, the former Tottenham Hotspur director, who was appointed to succeed Rick Parry three months ago, said he was "a bit surprised" by the comments made by Steve Gibson, the Middlesbrough chairman, after a 1-1 draw against Leeds United last Sunday confirmed that the three points they had taken away for failing to fulfil a fixture against Blackburn Rovers in December would result in demotion.

"The Premier League is being run by people who have no idea what the real football world is about," Gibson, who refused to rule out legal action, had said.

Leaver said: "They might go

to court, no one can stop them, but it would be very sad for football if they did. I don't believe it is the best place to resolve this sort of dispute, it is a sporting matter and should be resolved within the sporting bodies concerned. Anyway, I don't think a court would be very impressed by people who had waited the best part of three months if they felt they had a genuine grievance."

Ferguson felt that the other games involving sides fighting for relegation — between Aston Villa and Southampton, Wimbledon and Sunderland, and Leeds and Middlesbrough — should have followed suit in the interests of fairness. "Premier League?" Ferguson said. "It's more like the tiddlywinks league."

Asked why Ferguson should choose to involve himself in an issue that did not affect his club, Leaver said: "He likes it, that's what he does. Anyway, what did he expect us to do? Were we really going to ask the players in the other matches to sit around in the dressing-room at half-time while Tottenham and Coventry played catch-up? Were all the spectators expected to mill around and the stewards expected to look after them for an indefinite period?"

"It seems to me that if you ask sensible questions, there could be only one sensible answer, and that was the decision that was taken."

"They [Manchester United] feel that they should be given consideration that other clubs may not get, but I have to be even-handed and treat all clubs in the same way. If I fall out with Manchester United, it is because I'm trying to be fair."

Leaver has written to Ferguson and Martin Edwards, the United chairman, in an effort to resolve their differences, but has yet to receive a reply.

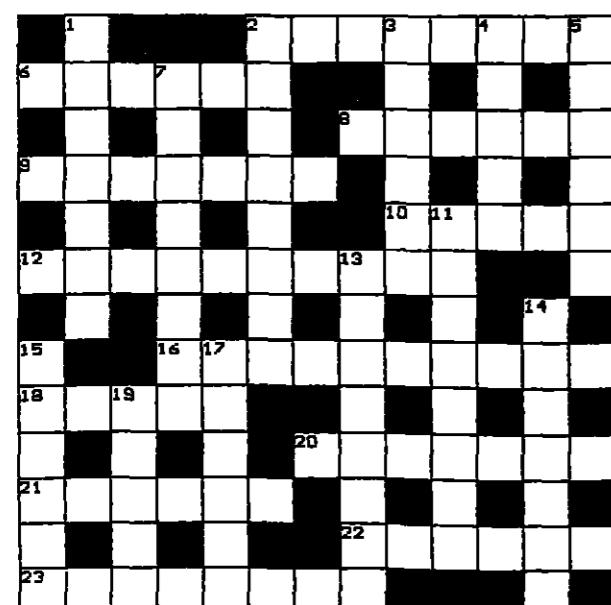
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Leaver also revealed that the new Premiership season will start on August 9, not August 2 as the Premier League had hoped. Negotiations had taken place to bring forward the start date to benefit England's pursuit of a place in the World Cup finals in France next year, but the proposal fell because one club — believed to be Manchester United — had arranged a lucrative pre-season tour of the Far East.

Five Premiership-free weekends have been scheduled for the 1997-98 season to aid England's World Cup preparations.

### TIMES TWO CROSSWORD

No 1094 in association with  
BRITISH MIDLAND



**ACROSS**  
2 Deceitful actions (8)  
6 College finance officer (6)  
8 John — Poet Laureate (6)  
9 Rough cider (7)  
10 Falsify; smitry (5)  
12 Supplicant (10)  
16 Naughty engaged (2,2,2,4)  
18 A slip; expire (5)  
20 Late afternoon (7)  
21 Yorks. bowler once; state of truth (6)  
22 Lancs. town; wrestling hold (6)  
23 Confine (8)

**DOWN**  
1 Accelerate; show signs of life (7)  
2 Rule-of-silence monk (8)  
3 Wine pitcher (6)  
4 A tree; senior (5)  
5 Over there (arch.) (6)  
7 Not genuine (8)  
11 New; unchanged (8)  
13 Anticlimactic occasion (3-5)  
14 Amy — Flyer; two US presidents (7)  
15 Tiny broken-off length (6)  
17 Tin/lead ware (6)  
19 Abductor of Helen (5)

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THE RUNNER-UP will receive a return ticket to anywhere on British Midland's domestic network. British Midland offers an extensive range of destinations throughout the UK as well as Europe and has now added daily flights from Heathrow to Copenhagen, Oslo and Gothenburg. With over 1,500 flights a week to 18 European destinations, British Midland is the airline for Europe.

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Post your entry to Times Two Crossword, PO Box 6886, London E2 8SP to arrive by next Monday. The winners' names and solution will appear on Wednesday.

Name/Address \_\_\_\_\_

**SOLUTION TO NO 1093**  
**ACROSS:** 6 Blemish 7 Aloof 9 Spout 10 Tolkien 11 Take on trust 14 Remonstrate 17 Ceramic 19 Eight 21 Stove 22 Library  
**DOWN:** 1 Demo 2 Mistaken 3 Ghetto 4 Wail 5 Solitude 6 Bank 8 Finite 11 To-morrow 12 Travesty 13 Precis 15 Tackle 16 Stay 18 Meek 20 Girl



Draper celebrates after his surprise victory over the formidable Austrian No 3 seed in a match played in searing heat at the Italian Open

## Walsh suspended for four weeks

By JOHN GOODBODY

DAVID WALSH, who rode Barton Bank into second place in the Tote Cheltenham Gold Cup in March, was yesterday banned for four weeks from May 17 after failing a drugs test. Walsh tested positive for amphetamines.

Peter McCormick, Walsh's solicitor, said after the 90-minute hearing before the Jockey Club disciplinary committee that Walsh's explanation about how the stimulant had appeared in his urine had been accepted.

McCormick, with Walsh standing at his side, said after the hearing: "The rule is clear. The offence has been committed and something has to follow. The important thing

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